

# Washington, Saturday, August 4, 1945

# Regulations

# TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board
[Civil Air Regs., Amdt. 41-1]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OP-ERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

POSTPONEMENT OF EFFECTIVE DATE

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 31st day of July 1945.

Effective July 31, 1945, Part 41 of the Civil Air Regulations is amended by postponing the effective date from August 1, 1945, to September 1, 1945.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551) By the Civil Aeronautics Board.

> Fred A. Toomes, Secretary.

[F. R. Doc. 45-14267; Filed, Aug. 3, 1945; 10:47 a. m.]

[Civil Air Regs., Amdt. 43-1]

PART 43-GENERAL OPERATION RULES

WAR EMERGENCY REGULATIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 31st day of July, 1945. Effective August 1, 1945, Part 43 of the

Effective August 1, 1945, Part 43 of the Civil Air Regulations is amended by adding a new § 43.8 to read as follows:

§ 43.8 War emergency regulations.

§ 43.80 Designation of airports.

§ 43.300 Definitions. (As used in this § 43.8). (a) The term "aircraft" means all aircraft other than those operated by scheduled air carriers, the United States Army or Navy, the Civil Aeronautics Administration, or the Civil Aeronautics Board.

(b) A "designated landing area" is an area designated by the Administrator as a regular base of operation for aircraft during the period of national emergency.

(c) A "local flying area" is an area in the vicinity of a designated landing area, including any channel leading thereto, recorded by the Administrator after coordination with all local interests, and with the defense commander if within a vital defense area, for nonexclusive use of local aircraft operations emanating from that designated area.

(d) A "vital defense area" is in area set aside by competent military authority within which the operation of aircraft is prohibited or is authorized only subject to prescribed conditions.

§ 43.801 Flight rules. (a) Aircraft shall be based only at designated landing areas

Note: An aircraft is not prohibited from making an occasional take-off and landing from areas other than designated landing areas outside vital defense areas. This does not apply to military airfields, use of which by civil aircraft requires specific authorization by appropriate military authorities.

(b) No person shall pilot an aircraft within a vital defense area unless the flight has been approved by the responsible defense command or by the agency to which authority has been delegated for such approval: *Provided*, That approval is not required for flights from designated landing areas confined to the local flying area.

§ 43.802 Cancellation of designation. The Administrator may, at any time, cancel the designation of a landing area if it is determined such action is necessary to public safety or to prevent conflict with military operations.

§ 43.81 Military insignia. No aircraft, other than aircraft of the national defense forces of the United States, shall be operated with emblems, insignia, or markings of the national defense forces unless written authorization for such use is obtained from the War or Navy Departments.

§ 43.82 Search of passengers' baggage. The pilot in command of an aircraft, or any person designated by him, shall search passengers' baggage or cargo whenever and to the extent that the pilot believes national security so requires. If such baggage or cargo includes a camera,

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(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

FRED A. TOOMBS. Secretary.

[F. R. Doc. 45-14268; Filed, Aug. 3, 1945; 10:47 a. m.]

[Civil Air Regs., Amdt. 60-3]

PART 60-AIR TRAFFIC RULES

DIRECTIONS FOR CRUISING ALTITUDES UNDER IFR TO BE DESIGNATED IN MAGNETIC INSTEAD OF TRUE COURSE

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 31st day of July 1945.

Effective August 1, 1945, § 60.24 (b) of the Civil Air Regulations is amended by striking the word "True" from the table heading and substituting in lieu thereof the word "Magnetic."

(52 Stat. 934, 1007; 49 U.S.C. 425, 551) By the Civil Aeronautics Board.

> FRED A. TOOMES, Sceretary.

[F. R. Doc. 45-14269; Filed, Aug. 3, 1915; 10:47 a. m.]

#### TITLE 29—LABOR

Chapter VI-National War Labor Board

PART 802-RULES OF PROCEDURE

MISCELLANEOUS AMENDMENTS

The National War Labor Board has added the following paragraphs to §§ 802.25 (b) and 802.57 (b) (1) of its rules of procedure as follows:

§ 802.25 Panel report and comments.

- (b) Procedure in cases involving price relief or increases in production cost.
- (4) For procedure to be followed where the panel recommends denial of an increase and the Board or its agent reverses such recommendation, or modifies the panel's recommendation upward or hears the case on its merits, see § 802.57 (b) (1) of the rules of procedure as amended.

§ 802.57 Authority of Regional War Labor Boards. . .

(b) Directive orders in dispute cases.

If the panel recommends denial of an increase and the Regional Board overrules such a recommendation, or where the Regional Board modifies upward the panel's recommendation or where the Regional Board itself hears the case on its merits, the Regional Board shall notify the employer at the time of the issuance of its directive order, that if he intends to seek price relief from the Office of Price Administration, he must within 15 days after the receipt of the directive order file with the nearest office of the OPA an appropriate application for such relief. All other information as required in § 802.25 (b) shall be submitted to the Board in the same manner as therein described. If application for price relief is made within the time allowed, then the directive order shall become effective only when the Office of Price Administration has determined that the wage increase ordered will not require any change in price ceilings, or, if no such determination is made, then upon approval by the Director of Economic Stabilization.

(E.O. 9017, 7 F.R. 7871)

Approved: July 4, 1945.

FRED E. DESMOND, Acting Executive Director.

[F. R. Doc. 45-14249; Filed, Aug. 2, 1945; 4:37 p. m.]

PART 803—GENERAL ORDERS

APPROVAL OF INCREASES IN WAGES AND SALARIES

The National War Labor Board has amended its General Order No. 7 to read as follows:

§ 803.7 Approval of increases in compliance with Fair Labor Standards Act. Since Title VI, section 1 of Executive Order No. 9250, dated October 3, 1942, states that "nothing in this order shall be construed as affecting the present operation of the Fair Labor Standards Act". and since statutes and orders of the duly constituted authorities of the several states fixing minimum rates for certain types of workers carry out the true purposes and intent of the Fair Labor Standards Act, and are designed and intended to eliminate substandards of living within the meaning of section 2 of Title II of Executive Order No. 9250, the National War Labor Board hereby approves increases in wage and salary rates made in compliance with such statutes and orders: Provided however, That if any changes in such statutes or orders are made or promulgated after April 8. 1943, increases directed thereby which would result in a wage or salary rate in excess of the rate which the War Labor Board establishes as a minimum wage rate by General Order No. 30, may not be made without the approval of the Board.

(E.O. 9250, Oct. 2, 1942, 7 F.R. 7871, as amended by E.O. 9381, Sept. 25, 1943, 8 F.R. 13033; E.O. 9328, April 8, 1943, 8 F.R. 4681; Act of Oct. 2, 1942, C 578, 56 Stat. 765, Pub. Law 729, 77th Cong.)

Approved: July 19, 1945.

THEODORE W. KHEEL, Executive Director.

[P. R. Dec. 45-14230; Filed, Aug. 2, 1945; 4:37 p. m.]

# TITLE 32—NATIONAL DEFENSE

Chapter II-National Guard and State Guard, War Department

PART 211-STATE GUARD

CORRESPONDENCE AND REPORTS; CHAMMELS OF COLUMICATION

In § 211.9 paragraph (b) is reseinded and the following substituted in lieu thereof:

- § 211.9 Correspondence and reports.
- (b) Channels of communication. Communication between State authorities and the War Department relating to State Guard matters will be conducted as follows:
- (1) Between State authorities and the Chief, National Guard Bureau. Direct correspondence where action within the purview of a service command or Army Service Forces is not required.

(2) Between State authorities and service commands. Communication will be direct if reference to the War Department or the Chief of the National Guard Bureau is not required.

(3) Between service commands and the War Department or the Chief, National Guard Bureau. Communication will be submitted through the Commanding General, Army Service Forces.

(Sec. 61, Act of 3 June 1916 (39 Stat. 193. 32 U.S.C. 194) as amended by Act of 21 Oct. 1940, (54 Stat. 1206), Act Aug. 18,

Appears under War Manpower Commission in Notices section.

1941 (55 Stat. 628); and Act Oct. 1, 1942 (56 Stat. 762) [AR 850-250, Aug. 9, 1943 as amended by C1, July 26, 1945]

[SEAL] EDWARD F. WITSELL,

Major General,

Acting The Adjutant General.

[F. R. Doc. 45-14258; Filed, Aug. 3, 1945; 9:38 a. m.]

# Chapter IX-War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 903—DELEGATIONS OF AUTHORITY [Supplementary Directive 1-X, as Amended Aug. 3, 1945]

#### RATIONING OF PASSENGER AUTOMOBILES

§ 903.50 Supplementary Directive No. 1-X; delegation of authority to the Office of Price Administration with reference to the rationing of passenger automobiles—(a) Supplementary Directive 1-A revoked. Supplementary Directive 1-A is hereby revoked.

- (b) Rationing authority over passenger automobiles transferred to Office of Price Administration. In order to permit the efficient rationing of passenger automobiles, the authority delegated to the Office of Price Administration by Directive 1 (§ 903.1) is hereby extended to the exercise of control over the sale, transfer or other disposition of passenger automobiles by any person to any other person, and the use or alteration of passenger automobiles by any person, including without limitation (1) the Army and Navy of the United States, the United States Maritime Commission, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Administration, the National Advisory Committee for Aeronautics, the Office of Scientific Research and Development and (2) Government agencies or other persons acquiring such products for export to or for use in any foreign country.
- (c) Limitations on the authority delegated. The power, authority and discretion hereby delegated to the Office of Price Administration in respect to the rationing of passenger automobiles shall be subject to the terms and conditions specified in said Directive 1, insofar as they are not inconsistent with this Supplementary Directive 1-X, and shall be exercised under the following conditions:
- (1) Quotas have been or may be established by the War Production Board from time to time, fixing the number of passenger automobiles to be made available from the existing stockpile of such vehicles and from new production to various Government agencies. The quota established for any agency may not be altered except by the War Production Board. Within the limits of its own quota each such agency shall determine the use to which its passenger automobiles are to be put and the Office of Price Administration shall not refuse to authorize the transfer of a passenger

automobile to such agency on any ground other than that its particular quota has been exhausted.

- (2) Quotas have been or may be established by the War Production Board from time to time, fixing the number of passenger automobiles to be made available from the existing stockpile of such vehicles and from new production to the Office of Defense Transportation for meeting essential civilian needs. Subject only to whatever quota may be established, the Office of Price Administration shall authorize the transfer, sale, delivery, use, alteration or other disposition of passenger automobiles pursuant to such orders and regulations and pursuant to such standards of eligibility and need as it may deem necessary in the public interest and to promote the national defense.
- (3) The Office of Price Administration shall exercise no authority over the production of passenger automobiles produced after the effective date of this Directive 1-X or their distribution by manufacturers to distributors and dealers. Nor shall it require from manufacturers any reports concerning such production and distribution.
- (4) The authority of the Office of Price Administration shall include the power to regulate or prohibit the sale, transfer, delivery or other disposition of passenger automobiles to, or the acquisition, use, alteration or other disposition of passenger automobiles by, any person who has acted in violation of any rationing regulation or Order prescribed by the Office of Price Administration.
- (d) Reports to War Production Board. The Office of Price Administration shall furnish reports at monthly intervals to the War Production Board covering the number of passenger automobiles transferred from each of the established quotas, and shall furnish such other reports as may be required by the Board.
- (e) Definition. "Passenger automobile" means any automobile, built upon a standard or lengthened passenger car chassis having a seating capacity of not more than ten (10) persons, including station wagons, taxicabs, and coupes with or without pickup boxes, but not including ambulances, hearses, or sedan defiveries.
- (f) Modification of this Directive 1-X. The War Production Board may from time to time amend this Directive 1-X in such manner and to such extent as it may determine to be necessary. directive modifies Directive 1 (§ 903.1) to the extent applicable and supersedes the delegation of authority to the Office of Price Administration made by Supplementary Directive No. 1A (§ 903.2), as amended: Provided, however, That all action heretofore taken (including without limitation, regulations or orders heretofore issued) by the Office of Price Administration pursuant to Supplementary Directive No. 1A as originally issued and amended, is hereby ratified, approved and confirmed, and the authority so delegated shall continue to remain in full force and effect with respect to all such action which is not inconsistent with the terms of this directive, for all

purposes including the purpose of allowing or sustaining any suit, action, prosecution or administrative or other proceeding heretofore or hereafter commenced with respect to any violation heretofore committed or right or liability heretofore incurred under or pursuant to the terms thereof.

Issued this 3d day of August 1945.

Lincoln Gordon, Program Vice Chairman.

[F. R. Doc. 45-14275; Filed, Aug. 3, 1945; 11:23 a. m.]

PART 903—DELEGATIONS OF AUTHORITY [Directive 36, as Amended Aug. 3, 1945]

RATIONING OF NEW AND USED COMMERCIAL MOTOR VEHICLES

§ 903.75 Directive No. 36—(a) Rationing authority transferred to Director of Office of Defense Transportation. The Director of the Office of Defense Transportation (hereafter referred to as the Director) is hereby authorized to perform the functions and exercise the power, authority and discretion conferred upon the President by section 2 (a) of the act of June 28, 1940 (Pub. Law 671. 76th Cong.) as amended by the act of May 31, 1941 (Pub. Law 89, 77th Cong.) and by Title III of the Second War Powers Act. 1942 (Pub. Law 507, 77th Cong.) with respect to the exercise of rationing control over the transfer, sale, delivery, use or other disposition of new and used commercial motor vehicles as defined herein. Nothing in this directive shall be deemed in any way to limit the functions and authority of the Director under the act of December 1, 1942 (Pub. Law 779, 77th Cong.) Executive Order No. 9294, dated January 4, 1943, and Directive 21 dated May 1, 1943 with respect to allocation of the use of rubberborne transportation equipment and facilities by carriers or operators thereof.

(b) Information, reports and records. In connection with the exercise of rationing control, the Director is further authorized to exercise the power, authority and discretion conferred upon the President by the Second War Powers Act, 1942 (Pub. Law 507, 77th Cong.), except with respect to vehicle production and distribution by manufacturers, to obtain information, to require reports and keeping of records; to make inspection of books, records and other writings; to make investigations; to administer oaths and affirmations and to require the attendance and testimony of witnesses and the production of books, records or other documentary or physical evidence pursuant to said statute.

(c) Limitations on the authority delegated. The power, authority and discretion hereby delegated to the Director in respect to the rationing of new commercial motor vehicles shall be exercised under the following conditions:

(1) Quotas have been and will be established by the War Production Board from time to time fixing the number of new commercial motor vehicles to be made available from the existing stockpile of vehicles and from new production

to the Office of Defense Transportation and to any other agency which the War Production Board determines is entitled to a quota. These quotas shall not be altered or modified in total amount over the period for which they are established except when approved by the War Production Board.

- (2) Within the limits of its own quota each such agency shall determine the use to which the particular vehicle is to be put and the Director shall not refuse to authorize the transfer on any ground other than that the particular quota has been exhausted.
- (d) Director to establish standards, orders and regulations for rationing vehicles. In the rationing of new commercial motor vehicles from the quota established for the Office of Defense Transportation and in the rationing of used commercial motor vehicles, the Director shall authorize the transfer, sale, delivery, use or other disposition of such commercial motor vehicles pursuant to such standards, orders and regulations as he may deem necessary in the public interest and to promote the national defense.
- (e) Delegation of authority by the Director. The Director may exercise the power, authority and discretion conferred upon him by this directive through such officials and employees of the Office of Defense Transportation, or other officials of the Government of the United States, as he may determine and pursuant to such orders and regulations as he may deem requisite in the public interest.
- (f) Reports to War Production Board. The Director shall furnish such reports to the War Production Board as may be required by the Board.
- (g) Definitions. (1) "New commercial motor vehicle" means any light, medium or heavy motor truck, truck-tractor or trailer, or the chassis therefor, or any chassis on which a bus body is to be mounted, and which (i) was manufactured subsequently to July 31, 1941; (ii) was designed to be propelled or drawn by mechanical power; (iii) was designed for use on or off the highway for transportation of property or persons; (iv) was manufactured otherwise than under specification of the United States Army or Navy; (v) has not been transferred to any person other than a sales agency for the purpose of resale; including vehicles of the following types: trucks, truck chassis, truck-tractors, off-the-highway motor vehicles, full-trailers, semi-trailers having a load carrying capacity of 10,000 pounds or more, bus chassis, carryall suburbans, sedan deliveries and cab pickups, but not including station wagons, coupes fitted with pickup boxes, ambulances, hearses, taxicabs and integral type busses.
- (2) "Used commercial motor vehicle" means any light, medium, or heavy motor truck, truck-tractor or trailer or the

chassis therefor, or any chassis on which a bus body is to be mounted and which (i) was designed to be propelled or drawn by mechanical power; (ii) was designed for use on or off-the-highways, for transportation of property or persons; (iii) irrespective of mileage has been used at any time for any purpose other than for the purpose of selling it. This definition includes vehicles of the following types: trucks, truck chassis, truck-tractors, offthe-highway motor vehicles, full-trailers, semi-trailers having a load carrying capacity of 10,000 pounds or more, buschassis, carry-all suburbans, sedan deliveries and cab pickups, but not including station wagons, coupes fitted with pickup boxes, ambulances, hearses, taxicabs and integral type busses.

(h) Modification of this directive. The War Production Board may from time to time amend this directive in such manner and to such extent as it may determine to be necessary. This directive modifies Supplementary Directive 1C, issued February 28, 1942, to the extent applicable.

(i) Executive orders not affected. Nothing in this directive affects the respective obligations and authorities of the Director and the Chairman of the War Production Board with respect to determining the relative importance of deliveries required for defense, by such instructions, certifications and directives as may be issued by the Chairman, as stated in paragraph 4 of Executive Order 8989, dated December 18, 1941, and any other applicable executive orders.

Issued this 3d day of August 1945.

LINCOLN GORDON,
Program Vice Chairman

[F. R. Doc. 45-14276; Filed, Aug. 3, 1945; 11:23 a. m.]

PART 1010—SUSPENSION ORDERS
[Suspension Order S-708, Amendment and Medification]

# HINGECO VANITIES, INC.

Hingeco Vanities, Inc., 12 Addison Place, Providence, Rhode Island, engaged in the manufacture of jewelry and other silver products, was suspended on February 13, 1945, by Suspension Order No. S-708. It appealed from the provisions of the order. Deputy Chief Compliance Commissioner Bok has reviewed the case and, as a result of his study, has directed that the order be modified.

- It is hereby ordered, that: § 1010.708, Suspension Order No. S-708, Issued February 6, 1945, and effective February 13, 1945, be and hereby is amended by the substitution of the following paragraph (a) for the present paragraphs (a) and (b) and by substituting the present paragraph (e) by the following:
- (a) Hingeco Vanities, Inc., shall for four months after the effective date hereof, be denied priorities assistance, excepting only military contracts actually on hand and being filled by them on the date of this modification.

(e) This order shall take effect on August 3, 1945, and shall remain in effect until December 3, 1945.

Issued this 25th day of July 1945.

WAR PRODUCTION BOARD, By J. JOSETH WHILLAN, Recording Secretary.

[F. R. Dec. 45-14280; Filed, Aug. 3, 1915; 11:23 a. m.]

PART 1010—Suspension Orders [Suspension Order S-799, Revocation]

WESTERN TOOL & DIE CO.

Suspension Order No. S-793 was issued May 25, 1945 against the Western Tool & Die Co. of Farmington, Michigan, for violations of Conservation Order L-41. In view of the amendment to Conservation Order L-41, the Chief Compliance Commissioner has directed that Suspension Order No. S-799 be revoked forthwith. In view of the foregoing,

It is hereby ordered, that: Suspension Order No. S-799 be revoked.

Issued this 2d day of August 1945.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[F. R. Die. 45-14248; Filed, Aug. 2, 1945; 4:35 p. m.]

Pant 1010—Suspension Orders [Suspension Order S-855]
Kirkendall egot co.

Kirkendall Boot Company, a Nebraska corporation with its principal place of business at 1101 Harney Street, Omaha, Nebraska, is engaged in the manufacture and sale of boots and shoes. During the period from July 3, 1943, to September 1, 1944, it manufactured 9,712 pairs of shoes known as bomber shoes having a strap passing over, under or through the vamp in violation of Conservation Order M-217. The responsible officers of the corporation were familiar with the provisions of Conservation Order M-217 and their actions constituted a wilful violation thereof. The manufacture of such shoes has diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered that:

§ 1010.855 Suspension Order No. S-35.

(a) In the production period from March 1, 1945, to August 31, 1945, the quota of Kirkendall Boot Company for the manufacture of men's dress shoes in the \$8.25 to \$9.07 price range shall be 458 pairs less than it otherwise would be under the provisions of Conservation Order M-217.

- (b) In the production period from March 1, 1945, to August 31, 1945, the quota of Kirkendall Boot Company for the manufacture of men's dress shoes in the \$7.20 to \$7 92 price range shall be 513 pairs less than it otherwise would be under the provisions of Conservation Order M-217.
- (c) The restrictions and prohibitions contained herein shall apply to Kirken-

dall Boot Company, its successors and assigns, or persons acting in its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) Nothing contained in this order shall be deemed to relieve Kirkendall Boot Company from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on August 3, 1945.

Issued this 24th day of July 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-14281; Filed, Aug. 3, 1945; 11:23 a. m.]

PART 1010—SUSPENSION ORDERS
[Suspension Order S-859]
GILBOARD REFRIGERATION CO.

Morris Gilboard, doing business as Gilboard Refrigeration Company, engaged in the manufacture, sale and repair of commercial refrigeration units in Lawrence, Massachusetts, was charged by the War Production Board with having, between January 1, 1944 and April 1945, purchased new refrigeration equipment in the amount of \$13,000 by means of the improper extension of ratings in violation of Priorities Regulation No. 3 and War Production Board Order P-126, thereby enabling him to assemble this equipment with other items and to sell the same in violation of War Production Board Limitation Order L-38; with having made misrepresentations to the War Production Board in connection with his operations; with having, on June 24, 1944, extended a preference rating in purchasing 13 blowers valued at \$600 in violation of Priorities Regulation No. 3; and with having failed to keep accurate and complete records as required by Priorities Regulation No. These violations were grossly negligent.

These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.859 Suspension Order No. S-859. (a) Morris Gilboard, doing business as Gilboard Refrigeration Company or otherwise, shall not for one year from effective date of this order, apply or extend any preference rating or use any CMP allotment symbols to obtain delivery of any refrigerating system, equipment or parts regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used unless otherwise authorized in writing by the War Production Board: Provided, however, That said Morris Gilboard, doing business as Gilboard Refrigeration Company, may apply or extend any preference rating for the purpose of obtaining necessary

items for the maintenance and repair of compressors, fans or coils for refrigeration equipment actually in operation but not for the purpose of enlarging the size or capacity of such compressors, fans or coils.

(b) Nothing contained in this order shall be deemed to relieve Morris Gilboard from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(c) .The restrictions and prohibitions contained herein shall apply to Morris Gilboard, doing business as Gilboard Refrigeration Company, his successors or assigns, or persons acting in his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on August 3, 1945.

Issued this 27th day of July 1945.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 45-14282; Filed, Aug. 3, 1945; 11:24 a. m.]

PART 1010—SUSPENSION ORDERS
[Suspension Order S-860]
CONNELL SALES CO.

Connell Sales Company is a partnership composed of Owen W. Connell and Miriam E. Connell engaged, since January 1943, as jobbers and manufacturers' agents in selling merchandise of various kinds to Ship's Service Stores, Army and Marine Post Exchanges. The principal place of business of the partnership is located at 420 Market Street, San Francisco, California. Between May 16, 1944 and June 19, 1944, the company improperly extended preference ratings on four of its purchase orders for the acquisition of approximately 616 leather utility kits, and between May 11, 1944 and July 13, 1944, the company improperly certified 25 of its purchase orders as "Navy Contract" for acquiring 3,683 leather utility kits in violation of Priorities Regulation No. 3 and Priorities Regulation No. 1, respectively. These violations were the result of gross negligence on the part of O. W. Connell, amounting to wilfulness, tending to cause and probably causing diversion of essential materials to uses unauthorized by the War Production Board and have interfered with the controls established by the War Production Board for the distribution of critical materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.860 Suspension Order No. S-860. (a) Owen W. Connell and Miriam E. Connell shall not for sixty days from the effective date of this order apply or extend any preference ratings, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

may be applied or extended.

(b) Owen W. Connell and Miriam E. Connell shall cancel immediately all preference ratings which they have applied or extended to orders which have

not yet been filled, except that if they have extended a customer's rating to get an item for delivery without change in form to that customer (as distinct from replacing it in inventory), they need not cancel the rating; *Provided*, The item, when received, is promptly delivered to the customer whose rating was extended.

(c) All preference ratings presently outstanding in connection with orders for delivery of materials to Owen W. Connell and Miriam E. Connell or placed prior to September 24, 1945 are void and shall not be given any effect by their suppliers or by any other person. This does not apply to material already delivered or in transit for delivery on the effective date of this order.

(d) The restrictions and prohibitions contained herein shall apply to Owen W. Connell and Miriam E. Connell whether doing business as Connell Sales Company or under any other name, their successors or assigns or persons acting in their behalf. Prohibitions against taking of any action include the taking indirectly as well as directly of any such

action.

(e) Nothing contained in this order shall be deemed to relieve Connell Sales Company, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(f) This order shall take effect on Au-

gust 3, 1945.

Issued this 24th day of July 1945.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 45-14283; Filed, Aug. 3, 1945; 11:24 a. m.]

PART 1010—SUSPENSION ORDERS [Suspension Order S-863]

ST. ANNE FREEZING AND PROCESSING CO.

Mary Lucido Harder is an individual doing business as St. Anne Freezing and Processing Company and in that capacity she owns a fish processing plant located at Pier #92 in the City and County of San Francisco, California. Mary Lucido Harder applied to the War Production Board for authorization to construct a wharf, decking and piling, a one-story frame building and an electric power line at a cost not to exceed \$23,250 to be used for drying, salting, pickling, smoking and freezing of fish as well as for the reduction of fish. The application was approved and authorization granted for the project with the elimination of the fish reduction plant. Notwithstanding, the respondent proceeded on or about July 15, 1944 and thereafter to construct the project with the fish reduction plant. Certain of the materials used therein were obtained by extending priorities ratings in violation of Priorities Regulation No. 1, Section 944.11. Mary Lucido Harder was aware of War Production Board restrictions on construction, and the construction of the project and the installation of

machinery for a fish reduction plant, and the unauthorized extension of priorities ratings, constituted wilful violation of L-41 and Priorities Regulation No. 1.

This violation has diverted critical material to uses not authorized by the War Production Board and has hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.863 Suspension Order No. S-863. (a) For a period of one year, Mary Lucido Harder, doing business as St. Anne Freezing and Processing Company, or otherwise, her heirs, assigns, agents and employees, shall not use the facilities located at Pier 92, San Francisco, California, that is, the construction and equipment built and installed by Respondent in that location as a fish reduction plant, or use said facilities to reduce offal or whole fish: Provided, however. That said facilities may be used to reduce offal produced from salting and fish freezing operations conducted on said premises:

(b) Nothing contained in this order shall be deemed to relieve Mary Lucido Harder from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provision hereof;

tion includes the taking indirectly as well as directly of any such actions;

(c) Prohibition against taking any ac-

(d) This order shall take effect on the 3d day of August 1945.

Issued the 24th day of July 1945.

WAR PRODUCTION BOARD. By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 45-14284; Filed, Aug. 3, 1945; 11:24 a. m.]

> PART 1010-Suspension Orders [Suspension Order S-867] THE HOUSH CO., INC.

The Housh Company, Inc., engaged in the business of making photograph albums and photomounts in Boston, was charged by the War Production Board with having consumed, in the period from August 1, 1943 to December 31, 1944, paper and paperboard in converting albums in the amount of 22,455 pounds in excess of its quota in violation of War Production Board Conservation Order M-241-a, and with having consumed, in the period from January 1, 1943 to December 31, 1944, paper and paperboard in converting photomounts in the amount of 63,594 pounds in excess of its quota in violation of War Production Board Conservation Order M-241-a. The violations with respect to the photomounts were wilful and the violations with respect to the albums were grossly negligent.

This excessive use of paper has diverted scarce materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.867 Suspension Order No. S-867. (a) The Housh Company, Inc., during each of the third and fourth quarters of 1945 and the first and second quarters of 1946, shall reduce its consumption of paper and paperboard to 20,000 pounds per quarter: Provided, That it may use any of said 20,000 pounds up to 17,442 pounds per quarter for conversion into albums and any part of said 20,000 pounds up to 18,021 pounds per quarter for conversion into photomounts: And provided further. That if by amendment to Conservation Order M-241-a or by any other order of the War Production Board, the Housh Company. Inc.'s quota for albums is reduced below 17,442 pounds per quarter or its quota for photomounts is reduced below 18,021 pounds per quarter such more restrictive quota shall prevail.

(b) Nothing contained in this order shall be deemed to relieve The Housh Company, Inc., its successors or assigns, or persons acting on its behalf, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent

with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to The Housh Company, Inc., its successors or assigns, or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on

August 3, 1945.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-14285; Filed, Aug. 3, 1945; 11:23 a. m.]

PART 1010-SUSPENSION ORDERS

[Suspension Order S-833]

MARSHALL SPINNING MILL, INC.

Marshall Spinning Mills, Inc., located in Marshall, North Carolina is a corporation engaged in the manufacture of carded cotton sale yarns. During the first, second, third and fourth quarters of 1944, Marshall Spinning Mills, Inc., failed to meet the Distribution Schedules of General Conservation Orders M-317 and M-317B and diverted 252,255 pounds of such yarns to unrated orders in violation of said conservation orders.

The responsible officials of the Company were aware of the provisions of General Conservation Orders M-317 and M-317B and these diversions constituted wilful violations of these Orders.

These violations have diverted critical material to uses unauthorized by the War Production Board and in view of the foregoing, it is hereby ordered that:

§ 1010.868 Suspension Order S-868. (a) During the balance of the third quarter of 1945 Marshall Spinning Mills, Inc., its successors or assigns, shall deliver or set aside for later delivery on preference rated orders its entire production of yarn, and shall not deliver any yarn on unrated orders, unless specifi-cally authorized in writing to do so by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Marshall Spinning Mills, Inc., its successors or assigns, from any restriction, prchibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on August 3, 1945.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-14226; Filed, Aug. 3, 1945; 11:23 a. m.]

> PART 1010-Suspension Orders [Suppension Order S-869]

FOOD STORE ENGINEERING & FIXTURE CO.

William Sutherlan, an individual, does business as Food Store Engineering & Fixture Company at 940 Market Street, Tacoma, Washington. He is engaged in designing, manufacturing and selling store fixtures for retail food stores such as groceries, meat markets, etc. Between April 12, and August 24, 1944 he applied preference ratings of AA-2 MRO for 104,376 feet of plywood without authority in violation of Priorities Regulation No. 3, and CMP Regulation No. 5. About September 7, 1944 he sold 27,064 square feet of softwood plywood to a person other than a producer on an unrated order, in violation of Priorities Regulation No. 13. Between July 31 and September 23, 1944 he accepted delivery of four refrigerators and a set of two refrigerator self-service doors on orders which were not approved orders, in violation of Limitation Order L-38, and sold two of these refrigerators on orders other than approved orders, also in violation of Limitation Order L-38. He failed to maintain records of his inventories of materials to which the rules, regulations and orders of the War Production Board relate and of the details of his transactions therein, particularly of preference ratings received and extended. He knew that War Production Board rules, regulations and orders affected his business, but negligently failed to acquaint himself therewith. These violations were wilful and have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.869 Suspension Order No. S-869. (a) For a period of three months from the effective date of this order William Sutherlan shall not apply or extend any preference ratings or use any CLIP allotment symbols, regardless of the delivery date, named in any purchase order to which such ratings may be applied or extended, or on which CMP allotment symbols are used.

(b) William Sutherlan shall not thereafter apply or extend any such preference ratings or use any such allotment symbols until he has submitted to the War Production Board satisfactory proof that he has installed accurate and complete records, as required by Priorities

Regulation #1, and that he is in full compliance with the rules, orders and regulations of the War Production Board.

(c) The restrictions and prohibitions contained herein shall apply to William Sutherlan, doing business as Food Store Engineering & Fixture Company or under any other name, his successors and assigns or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as

well as directly of any such action.
(d) Nothing contained in this order shall be deemed to relieve William Sutherlan, his successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on August 3, 1945.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD. By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 45-14287; Filed, Aug. 3, 1945; 11:24 a. m.]

# PART 1010-SUSPENSION ORDERS [Suspension Order S-874] THE WASHINGTON TIMES-HERALD

Eleanor Patterson, doing business as The Washington Times-Herald, is engaged in the publication of a newspaper in Washington, D. C. During the first, second and third calendar quarters of 1944 and the first calendar quarter of 1945, her responsible agents used or caused to be used 865.62 tons of print paper in excess of the quota of print paper which The Washington Times-Herald was permitted to consume under Limitation Order L-240, in violation of that order.

These violations of Limitation Order L-240 diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered that:

§ 1010.874 Suspension Order No. S-874. (a) During the fourth calendar quarter of 1945 and the first three calendar quarters of 1946, unless otherwise specifically authorized in writing by the War Production Board, Eleanor Patterson shall reduce her consumption of print paper in the amount of 215 tons per quarter below her permissible consumption under Limitation Order L-240 as amended from time to time.

(b) The restrictions and prohibitions contained herein shall apply to Eleanor Patterson, doing business as The Washington Times-Herald or otherwise, her successors and assigns, and persons acting on her behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve Eleanor Patterson from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 3d day of August 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-14288; Filed, Aug. 3, 1945; 11:23 a. m.]

# PART 1010-SUSPENSION ORDERS [Suspension Order S-875]

#### LEONARD TISSUE CO.

The Leonard Tissue Company, 535 Windsor Street, Cambridge, Massachusetts, is a partnership composed of Samuel, Manuel, and Joseph Sugarman. It is engaged in the business of manufacturing domestic and industrial paper towels, napkins, etc., from pulp, paper, and paperboard. During the calendar year 1944 it consumed in the manufacture of towels for home use 71.1 tons of paper in excess of the amount authorized by General Conservation Order M-241-a and in violation of that order. The responsible partners had knowledge of General Conservation Order M-241-a and this violation was at least grossly negligent.

This violation has diverted critical material into uses not authorized by the War Production Board, and in view of the foregoing, it is hereby ordered that:

§ 1010.875 Suspension Order No. S-875. (a) Samuel, Manuel, and Joseph Sugarman, doing business as Leonard Tissue Company, shall not for a period of one year from the effective date of this order, consume any pulp, paper or paperboard in the manufacture or assembly of towels for home use except that any paper actually on the premises at 535 Windsor Street, Cambridge, Massachusetts, on the effective date of this order may be consumed in the manufacture or assembly of towels for home use.

(b) The restrictions and prohibitions contained herein shall apply to Samuel, Manuel and Joseph Sugarman, doing business as Leonard Tissue Company or otherwise, their successors or assigns, or persons acting on their behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(c) Nothing contained in this order shall be deemed to relieve Samuel, Manuel, and Joseph Sugarman, doing business as Leonard Tissue Company, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on August 3, 1945.

Issued this 27th day of July 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

[F. R. Doc. 45-14289; Filed, Aug. 3, 1945; 11:23 a. m.]

PART 3133-PRINTING AND PUBLISHING [Limitation Order L-240, as Amended Aug. 3, 1945]

# NEWSPAPERS

The fulfillment of requirements for the defense of the United States has created a shortage of the supply of print paper for defense, for private account and for export: and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

#### Scope

(a) The purpose of this order. Definitions and Explanations

(b) Newspaper.

(c) Camp papers and free distribution publications.

(d) Publisher.

(e) Print paper.

(f) Use.

(g) Net paid circulation.(h) Inventory.

(i) Transfer of quotas.

, Consumption Quota

(j) Allowable consumption.

(k) Computation of consumption quota.
(1) Carry-over.

(m) Consumption quotas for certain types of newspapers.

(n) Allotiment to Army and Navy.

#### Delivery Quota

(o) Computation of delivery quota.

(p) Exceptions.

Certification. (q)

Inventory reports and copies of orders.

(s) Inter-company transfers.

# Miscellaneous Provisions

(t) Loans of print paper.(u) Applicability of regulations.

(v) Appeals.

(w) Communications to the War Production Board.

(x) Violations.

#### Scope

§ 3133.6 Limitation Order L-240-(a) The purpose of this order. This order does two things: First, it limits the tonnage of print paper which may be used by a publisher in printing a newspaper. .This is called his "consumption quota". Second, it limits the tonnage of print paper which may be ordered or accepted by a newspaper publisher. This is called his "delivery quota". A publisher's consumption quota is on a quarterly basis and his delivery quota is on a monthly basis.

#### Definitions and Explanations

(b) Newspaper. "Newspaper" means any publication generally recognized as a newspaper in the newspaper industry, regardless of the frequency of issuance. The term includes all supplements, inserts and other printed matter physically incorporated into a newspaper or delivered together with it.

Where two or more newspapers are published by the same publisher, whether in the same city or in different cities, each newspaper shall operate under a separate consumption quota and a separate delivery quota. In computing his consumption quota a publisher must make separate calculations for morning, evening and Sunday editions, but these

figures must be consolidated into a single consumption quota for each newspaper, in accordance with the instructions contained in paragraph (k).

However, morning, evening, Sunday and other editions of the same newspaper shall operate under a single consumption quota and a single delivery

In determining whether a publisher issues separate newspapers or separate editions of the same newspaper, the number and form of the reports filed by the publisher with the Audit Bureau of Circulations in 1941 will be controlling. in the absence of special circumstances. Thus, if a publisher in 1941 filed consolidated statements with the Audit Bureau of Circulations covering morning, evening and Sunday issues, even if these issues had different names, different formats and different staffs, they will ordinarily be considered as a single newspaper for the purposes of this order. If a publisher in 1941 filed separate statements with the Audit Bureau of Circulations covering his morning, evening, Sunday and other publications, they will ordinarily be considered as separate newspapers for the purposes of this order.

If a publisher is uncertain as to whether or not his publication is a newspaper as defined in this order, he may ask the War Production Board for an official determination. The War Production Board may also make this determination upon its own motion. Such a determination, issued to the publisher in the name of the Recording Secretary of the War Production Board, shall be conclusive for the purposes of this order, unless revoked or modified by the same authority.

(c) Camp papers and free distribution publications. Army or Navy camp, post, station or unit "newspapers" or news sheets generally are not recognized as newspapers in the newspaper industry. They are covered by Order L-241 (commercial printing). Shopping guides, want ad periodicals and publications in newspaper format distributed free or at nominal cost also are not recorgnized as newspapers within the meaning of this order and are governed by Order L-241, Schedule II. If a publisher issued a free distribution newspaper in 1941, his consumption quota shall be determined in accordance with Schedule II to Order L-241 and that order shall govern even if the circulation of the publication has subsequently been changed in whole or in part to a net paid basis.

(d) Publisher. "Publisher" means a person who publishes a newspaper, including an individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(e) Print paper. "Print paper" means any grade, quality, type or basis weight of paper used in publishing a newspaper. The term includes paper reclaimed wholly or partly from printed or unprinted waste, as well as paper made entirely from virgin fiber. It also includes roll wrappers, newsprint used as wrappers, identification sheets and labels for newspapers, and production waste, whether or not this waste is subsequently salvaged for other uses.

(f) Use. All production waste shall be included in the tonnage of print paper "used" in printing a newspaper. Transit damage shall not be included in a publisher's "use" of print paper. A publisher may determine the dates on which paper is "used" under this order either on the basis of the dates when the paper is actually printed or the dates appearing on the respective issues of the newspaper, provided he continues to use the same method which he used in computing his 1941 base tonnages.

(g) Net paid circulation. "Net. paid circulation" means the number of copies of a newspaper which have been sold (exclusive of bulk sales), as audited by the Audit Bureau of Circulations or (in the case of newspapers which are not members of the Audit Bureau of Circulations) as verified in accordance with the standards of the Audit Bureau of Circulations

of January 1, 1942.

"Inventory" means (h) Inventory. all the print paper which is owned by a publisher or is available for his use. It. includes the print paper which he has on hand, in storage, and in transit and paper held for his use by a paper merchant, warehouseman or other person, regardless of its physical location. However, it does not include print paper shipped by water and held in warehouse by a paper manufacturer or merchant as part of the inventory of the manufacturer or merchant; such paper does not become part of a publisher's inventory until it is delivered to him.

(i) Transfer of quotas—(1) Quotas established by different orders. Quotas provided by one War Production Board order may not be used for the purposes set forth in any other order. Thus, for example, a publisher may not use for the printing of a newspaper any part of a consumption quota established under Orders L-241 (commercial printing), L-244 (magazines) or L-245 (books) and he may not permit any part of his consumption quota established under this order to be used for commercial printing, magazines or books. If a newspaper publisher also conducts a job printing business, he must keep these two operations separate for quota purposes. The amount of print paper which he is permitted to consume and the amount which he is permitted to order or accept for the publication of his newspaper is limited by this order. The amount of print paper which he is permitted to consume and the amount which he is permitted to accept for his commercial printing business is limited by Order L-241.

(2) Transfer of quotas to different persons. The rules governing the assignability of quotas are set forth in Priorities Regulation 7a.

# Consumption Quota

(i) Allowable consumption. In the third quarter of 1945 and in each calendar quarter after that, no publisher may use or cause to be used, in the publication of a newspaper, print paper in excess of:

(1) His quarterly consumption quota, which shall be computed in accordance

with the instructions set forth in paragraph (k) or (m) plus

(2) Any less-than-quota savings carried over from previous calendar quarters, as provided in paragraph (1), plus

(3) Ex-quota tonnage, if any, which may have been granted on appeal for

consumption in that quarter.

(k) Computation of consumption quota—(1) Base tonnages. Ascertain, separately, the tonnage of print paper comprising the net paid circulation of morning, evening, Sunday or other issues of the newspaper in the corresponding quarter of 1941. Add 3 per cent to each figure. (This 3 per cent is an arbitrary allowance to compensate for production waste and should be added whether the actual production waste in 1941 was greater or less than 3 per cent). These are the "base tonnages" for morning, evening, Sunday or other issues of the newspaper, which shall be adjusted in accordance with instructions 2, 3, and 4.

(2) Circulation increase. Ascertain, separately, the percentage increase or decrease in average net paid circulation of morning, evening, Sunday or other issues of the newspaper in the calendar year 1942 as compared with the calendar year 1941. (The average net paid circulation for each year shall be determined by adding together the average net paid circulation for each of the four quarters of the year and dividing by four).

(3) Tonnage equivalent of circulation increase. Apply, separately, the respective percentages of circulation increase or decrease determined under instruction number 2 to the respective base tonnages determined under instruction number 1 for morning, evening, Sunday or other issues of the newspaper.

(4) Adjustment of base tonnages. Adjust the respective base tonnages determined under instruction number 1 by adding or subtracting the number of tons represented by the percentage circulation gain or loss determined under in-

struction number 3.

(5) Total adjusted base tonnage. Total the respective base tonnages for morning, evening, Sunday or other issues of the newspaper determined under instruction number 1. Total the respective adjusted base tonnages for morning, evening, Sunday, or other issues of the newspaper determined under instruction number 4. The larger of these two totals is the publisher's "total adjusted base tonnage" from which the required reductions shall be applied.

(6) Sliding scale of reductions. Reduce the total adjusted base tonnage by the following sliding scale of percentage

(i) Deduct 3% of the amount over 25 tons but not over 125 tons.

(ii) Deduct 6% of the amount over 125 tons but not over 250 tons.
(III) Deduct 9% of the amount over 250

tons but not over 500 tons.

(iv) Deduct 15% of the amount over 500 tons but not over 1000 tons. (v) Deduct 18% of the amount over 1000

(7) Consumption quota. The balance remaining after subtraction of the above reductions from the total adjusted base tonnage determined under instruction number 5 is the publisher's consumption

quota for the quarter.

(8) Adjustment for print paper lighter than 32-nound basis weight. If a publisher orders print paper lighter than 32pound basis weight, his consumption quota for the current calendar quarter shall be reduced proportionately as follows: First, determine the percentage by which 32-pound paper exceeds such lighter paper in weight. Second, multiply the tonnage of lighter paper so ordered by this percentage. Third, subtract the result from the publisher's consumption quota. For example, if a publisher has a consumption quota of 200 tons and orders 100 tons of 30-pound basis weight paper, his consumption quota shall be reduced by 6% tons, since 32-pound paper is 6%% heavier than 30pound paper.

(9) Fourteenth Sunday in third quarter of 1945. Inasmuch as there are 14 Sundays and 78 weekdays in the third quarter of 1945, compared with 13 Sundays and 79 weekdays in the third quarter of 1941 and 1944, the publisher of a daily and Sunday newspaper may increase his consumption quota in the third quarter of 1945 by the excess of his average Sunday use of print paper in the third quarter of 1944 over his average weekday use of print paper in the third quarter of 1944. The publisher of a newspaper issued only on Sundays may increase his consumption quota in the third quarter of 1945 by one-thirteenth of his allowable use of print paper in the third quarter of 1944. No publisher may increase his delivery quota because of any additional tonnage he may use for the fourteenth Sunday in the third quarter of 1945.

(1) Carry-over. If a publisher uses less print paper than he is permitted to use in the fourth quarter of 1943, or in any calendar quarter after that, he may add this tonnage to his consumption quota but not to his delivery quota, in any succeeding quarter. This paragraph does-not apply to the print paper which a publisher is permitted to use under paragraph (m) (2).

(m) Consumption quotas for certain types of newspapers. Excepted from the provisions of paragraph (k) are certain types of newspapers described in this paragraph (m), whose consumption quotas shall be computed as follows:

(1) Special types of newspapers. Any newspaper containing the equivalent of 8 standard-size pages or less which is authorized to be admitted to the mails as second-class matter under the provisions of section 521 of the Postal Laws and Regulations of 1940 (Title 39, U. S. C., sec. 229) pertaining to the publications of benevolent, fraternal, trades-union, professional, literary, historical, and scientific organizations and societies shall have a consumption quota of print paper in any calendar quarter equal to either:

(i) Its quarterly consumption of printpaper in any one of the first three calen-

dar quarters of 1944; or

(ii) Its consumption of print paper in the corresponding calendar quarter of 1943. If the publisher selects this latter method in any calendar quarter, he may increase his consumption quota in that quarter by that percentage by which the average number of copies per issue in the third quarter of 1944 exceeds the average number of copies per issue in the corresponding calendar quarter of 1943. For example, if a newspaper's consumption of print paper in the first quarter of 1943 was 5 tons with an average press-run in that quarter of 5,000 copies per issue, and its average press-run in the third quarter of 1944 was 6,250 copies per issue, his consumption quota for the first calendar quarter of 1945 is 6½ tons.

(2) Small newspapers. During the third calendar quarter of 1945 and in each calendar quarter after that, any person may use or cause to be used 5 tons of print paper for a newspaper published weekly or less frequently, 61/4 tons of print paper for a newspaper published semi-weekly, 7½ tons of print paper for a newspaper published tri-weekly, 83/4 tons of print paper for a newspaper published four times a week, 10 tons of print paper for a newspaper published 5 times a week, 11¼ tons of print paper for a newspaper published 6 times a week, or 12½ tons of print paper for a newspaper published 7 times a week. It makes no difference whether he used that much print paper or any print paper in the publication of a newspaper during any previous period.

(3) Other newspapers using less than 25 tons per quarter. If, prior to October 1, 1944, a publisher used less than 25 tons of print paper per calendar quarter for civilian readers (whether or not he used additional paper for military readers), his total quarterly consumption quota for all types of readers shall be computed as follows:

(i) Ascertain the total number of copies of all issues printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(ii) Ascertain the average number of pages per issue printed in each of the seven calendar quarters between January 1, 1943 and September 30, 1944.

(iii) Multiply the highest quarterly figure determined under subdivision (i) by the highest quarterly figure determined under subdivision (ii). The weight of paper required to produce this number of pages is the publisher's quarterly consumption quota; Provided, however, That if this figure is in excess of 25 tons, the publisher shall be limited to 25 tons per quarter plus the tonnage in excess of 25 tons which he used for military circulation in the third quarter of 1944.

(n) Allotment to Army and Navy.

(1) The War Production Board may from time to time allot to the Army and the Navy a specified tonnage of paper to be consumed in printing (i) newspapers acquired in bulk for free distribution by the Army or the Navy which will be furnished to United States Armed Forces personnel in the continental United States and (ii) "servicemen's" "overseas", "pony", or other condensed editions of newspapers acquired in bulk by the Army or the Navy which will be furnished to United States Armed Forces personnel overseas.

(2) From this allotment the Army and the Navy, under a delegation of authority

from the War Production Board, may grant to individual publishers the right to add to their consumption quotas the tonnage of paper consumed in printing such newspapers acquired by the Army and the Navy for distribution as described under paragraph (n) (1). This allotment does not cover purchases of newspapers by military exchanges or service departments as defined in Priorities Regulation 17 for distribution within the continental limits of the United States. All newspapers sold to the military shall be charged against the publisher's consumption quota unless the publisher has received a specific grant from the Army or the Navy pursuant to this paragraph.

# Delivery Quota

(o) Computation of delivery quota. In July 1945, and in each calendar month after that, no publisher may order or accept delivery of print paper in excess of his monthly delivery quota, which shall be computed in accordance with the following instructions:

(1) Monthly base. Total the publisher's consumption quotas for the third and fourth quarters of 1945 and add the ex-quota tonnage, if any, which may have been granted for the third quarter of 1945. Divide by 6. (Do not add any carry-over from preceding quarters.)

(2) Inventory ceiling. The above amount shall be reduced accordingly if a publisher's inventory is, or by virtue of such order or acceptance will become, on December 31, 1945, greater than: (i) 30 days' supply for publishers in the states named in List A, (ii) 50 days' supply for publishers in the States named in List B, or (iii) 60 tons for publishers who would be limited to a smaller amount by subdivision (i) or (ii) above.

#### List A

Nebraska. Connecticut. District of Columbia. New Hampshire. New Jorsey. Delaware. Illinois. New York. North Dakota. Indiana. Ohio. Iowa. Pennsylvania. Kansas. Kentucky. Rhode Island. South Dakota. Maine. Maryland. Vermont. Massachusetts. Virginia. West Virginia. Michigan. Wisconsin. Minnesota. Missouri.

# List B

Nevada. Alabama. Arizona. New Mexico. North Carolina. Arkansas California. Oklahoma. Oregon. Colorado. South Carolina. Florida. Tennessee. Georgia. Idaho. Texas. Louisiana. Titah. Washington. Montana. Wyoming. Mississippi.

3. Exclusions. In computing his monthly base under paragraph (o) (1), and in computing the maximum tonnage which he may have in his inventory on December 31, 1945 in accordance with paragraph (o) (2), a publisher shall exclude any less-than-quota savings under his consumption quota carried over from

previous quarters. He shall also exclude print paper which he has received by Great Lakes or coastal water-borne shipments; provided on May 1 of any calendar year he shall have on hand or available for use not more than (i) a 30 days' supply if he is located in one of the States named on List. A above, or (ii) a 50 days' supply if he is located in one of the States named in List B above and provided further that no publisher may order or accept delivery of a total amount of print paper by water, rail or otherwise in any calendar year (including both theopen and closed navigation seasons) in excess of his permitted consumption for that calendar year.

(4) Computation of rate of consumption. The number of days' supply shall be computed at the average daily rate of allowable consumption for the last six

months of 1945.

(5) Fractional carloads. If a publisher's delivery quota for any month is less than one carload, he may nevertheless order and accept, in that month, up to one full carload. If a publisher's delivery quota for any month is a whole number of carloads plus a fraction of another carload, the fraction may be added to his delivery quota for any succeeding month.

(6) Transit damage. If print paper in inventory is destroyed or damaged to such an extent that it becomes unusable in publishing his newspaper, whether this occurs while the paper is in transit or after it has reached its destination, the publisher may increase his delivery quota (but not his consumption quota) in the same or any subsequent month by an amount sufficient to replace such paper. It is immaterial whether or not the publisher is reimbursed for the destroyed or damaged paper by the shipper, the carrier, or an insurance company. It is also immaterial whether or not the publisher salvages all or part of the damaged paper for use other than in publishing his newspaper.

(7) Report on transit damage. publisher who increases his delivery quota to replace destroyed or damaged print paper in accordance with subparagraph 6 above shall, within 15 days after placing the order for such replacement, file a letter with the War Production Board stating the number of tons comprising the publisher's delivery quota for that month, the number of tons destroyed or damaged, the manner in which such print paper was rendered unfit for use in publishing his newspaper, and the number of tons ordered in excess of his delivery quota. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal

Reports Act of 1942.

(p) Exceptions. Permission to order or accept delivery of print paper in excess of the tonnage allowed under paragraph (o) may be granted by the War Production Board upon a written request for specific authorization stating the number of tons and the number of days' supply of print paper which the publisher has in inventory, the number of tons comprising his delivery quota, the number of additional tons he desires to order and accept, and the reasons why the denial of the request would create undue hardship.

(a) Certification. No mill or other supplier may sell or deliver to any person, and no person may accept, any print paper for use under Order L-240 except on a delivery order bearing or accompanied by a certification substantially in the form set forth below. This certification must be signed manually or as provided in Priorities Regulation No. 7 by the purchaser or by an official duly authorized for such purpose:

The undersigned certifies, subject to the penalties of section 35 (a) of the U.S. Criminal Code, to the celler and to the War Production Board: (a) that he is permitted to place this delivery order and to accept the print paper ordered; (b) that the print paper will be used or delivered, or that it is required to replace in inventory print paper previously used or delivered, under War Production Board Order L-240.

The above certification must be placed on, or must accompany, each delivery order placed by any person for print paper to be used under Order L-240, and the certification provided for in Priorities Regulation No. 7 may not be used in its place.

(r) Inventory reports and copies of orders. On and after July 1, 1945, the publisher of every newspaper which consumes 25 tons of print paper or more in any calendar quarter shall file with the War Production Board:

(1) A monthly statement of his inventory of print paper on Form WPB 4292 within three days after the close of each month, beginning with June 1945.

(2) Copies of all orders for the delivery of print paper placed by him or for his account. Such copies of orders must be mailed within three days after the orders are placed.

These reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal

Reports Act of 1942.

(s) Intra-company transfers. foregoing restrictions apply not only to deliveries from one person to another, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

# Miscellaneous Provisions

(t) Loans of print paper. Any loan of print paper made by a publisher shall be reported to the War Production Board by letter within 15 days after the date of the loan. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(u) Applicability of regulations. This order and all transactions affected by it are subject to all present and future regulations of the War Production Board.

(v) Appeals. Any appeal from the provisions of this order shall be made in accordance with Supplement 1 to the order. Regardless of the provisions of Priorities Regulation 16 no statement with respect to manpower information on Form WPB-3820 (or letter explaining why that form is not filed) need accompany any appeal.

(77) Communications to the War Production Board. All reports required to be filed hereunder, requests for specific authorization, appeals and other communications concerning this order shall be addressed to: War Production Board, Printing and Publishing Division, Wash-

ington 25, D. C. Ref: L-240.
(x) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assist-

Issued this 3d day of August 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

Interpretation 1: Revoked Dec. 24, 1943. Interpretation 2: Revoked Dec. 24, 1943. Interpretation 3: Revoked Dec. 24, 1943.

#### Intemperation 4

#### TRANSTY DALLAGE

Paragraph (1) of Order L-240 states in part: "Trancit damage shall not be included in a publisher's 'use' of print paper." This providen which was inserted in the order on December 24, 1943, merely explained, and did not change, the existing rule.

At all times since the issuance of Order L-240 on December 31, 1942, a publisher has been obliged to charge against his consump-tion quote only the print paper which was actually "used" in publishing his newspaper; print paper which was destroyed or damaged in transit need not be charged against the publisher's consumption quota to the extent that such print paper was rendered unusable in the publication of his newspaper. How-over, at all times since the issuance of Order L-240 on December 31, 1842, production waste has been included in the tonnage of print paper which is "used" in publishing a newspaper. (Icoued Oct. 30, 1944.)

[F. R. Doc. 45-14277; Filed, Aug. 3, 1945; 11:25 a. m.]

PART 3133-PRINTING AND PUBLISHING. [Limitation Order L-244, Supp. 1, as Amended Aug. 3, 1945]

# MAGAZINES AND PERIODICALS

§ 3133.15a General Limitation Order L-244, Supplement No. 1-(a) Purpose of appeal clause. The serious shortage in the supply of print paper available for magazines makes it necessary for publishers to reduce their consumption substantially, as provided in Order L-244. Such reductions may create serious hardships-which, however, are unavoidable in time of war. Appeals are not granted to ameliorate, in individual cases, hardships applicable to an entire industry. They are granted only to provide relief, subject to the provisions of paragraphs (b) to (g), from certain undue and excessive hardships which would be created if the order were applied without medification to an exceptional set of circumstances. Appeals which do not establish such hardships shall be denied.

(b) No automatic adjustments. Paragraph (f) of this supplement describes the types of hardship for which quota adjustments shall be made by the War Production Board on appeal. These adjustments, however, are not automatic. A publisher who believes that his case is covered by one of the subparagraphs of paragraph (f) may not make his own adjustment of his consumption quota. No publisher may use any paper in excess of his consumption quota, computed in accordance with paragraphs (j), and (k) of Order L-244, unless he files an appeal for such relief and a grant is made in writing, signed by the Recording Secretary of the War Production Board.

(c) Adjustment of base tonnages. Wherever appropriate, grants on appeal shall be made in the form of adjustments of a publisher's base tonnage which shall continue to be effective in future quarters, subject to re-examination and modification at any time by the War

Production Board.

(d) Effective date of base tonnage adjustments. Adjustments of base tonnages are not retroactive. A publisher whose base tonnage is adjusted on appeal does not receive, by virtue of such adjustment, a "carry-over of unused tonnage" from any quarter before the issuance of the appeal grant.

(e) Application of curtailments. Constructive base tonnages granted on appeal are subject to the curtailments required by paragraph (j) of Order L-244

as amended from time to time.

(f) Types of hardship for which relief shall be granted. In passing upon appeals under Order L-244 the following

standards shall govern:

(1) New magazines issued by new publishers in 1942. If a new publisher first caused paper to be used in printing a new magazine in 1942 (and did not publish any other magazine throughout that entire year) he shall bé granted a constructive base tonnage: Provided, The magazine was published continuously until the issuance of Order L-244 on December 31, 1942. This shall be determined by averaging the tonnage of paper consumed in each issue printed in 1942 and multiplying this average tonnage by a factor representing the magazine's established frequency of issuance.

(2) Publishers who used 25 tons or less in the first quarter of 1943. If a publisher used 25 tons of paper or less in the first quarter of 1943 under that provision of Order L-244 (eliminated as of April 1, 1943) which exempted users of 25 tons per quarter or less, he shall be granted a constructive base tonnage, not to exceed 25 tons per quarter. This shall be determined by averaging the tonnage of paper used in the issues of each magazine printed during the first quarter of 1943 and multiplying this average tonnage by a factor representing the magazine's established frequency of issuance in that period.

(3) Reduction in basis weight and trim size. Publishers who reduced the basis weight or trim size of their magazines in 1942 shall be granted compensatory increases in their base tonnages.

(4) Heavy weight paper, wide rolls and large sheets held in inventory because of reduction in basis weights and trim size. (i) A publisher who, prior to October 1. 1944, reduced the basis weight of the paper regularly used in his magazine, and who, since the time of such reduction, has held in "frozen inventory" a quantity of the heavier paper regularly used prior to such reduction, shall, on appeal, be granted permission to consume that quantity of heavier paper and charge it against his quota as if it were paper of the basis weight he was using on October 1, 1944 for the same kind of printing. Such permission shall be granted only subject to the following conditions:

That the heavier weight paper shall be consumed before September 30, 1945, and

That the tonnage of paper which he is permitted to accept during the third quarter of 1945 shall be reduced by the net tonnage to be charged against his consumption quota pursuant to the appeal granted under this

(ii) A publisher who reduced the trim size of his magazine prior to October 1, 1944, and who, since the time of such reduction, has held in "frozen inventory" a quantity of wider rolls or larger sheets of paper which were required to print his magazine prior to such reduction in trim size, shall, on appeal, be granted permission to consume that quantity of over-size rolls or sheets as if it were paper of the size he was using on October 1, 1944 for the same kind of printing without charging against his consumption quota the trim waste caused by such reduction in roll size or sheet size. Such permission shall be granted only subject to the following conditions:

That such over-size rolls or sheets shall be consumed before September 30, 1945, and

That the tonnage of paper which he is permitted to accept during the third quarter of 1945 shall be reduced by the net tonnage to be charged against his consumption quota pursuant to the appeal granted under this paragraph.

- (5) Unusual seasonal variations. Publishers whose schedules have unusual seasonal variations shall be granted permission to redistribute their quarterly consumption quotas within a calendar year.
- (6) Inter-company transfers. Transfers of quotas under Order L-244 shall be permitted between corporations which have occupied the relationship of parent and wholly-owned subsidiary, or affiliates wholly owned by the same person prior to December 31, 1942, and continuously thereafter.
- (7) Temporary suspension. Publishers who suspended publication temporarily before the issuance of Order L-244 on December 31, 1942 because of strikes. fires, entrance into the armed forces, or similar conditions shall be granted compensatory increases in their base tonnage to the extent that it was impracticable to continue operations.

(8) Extraordinary hardships. Appeal tonnage shall not be recommended by either the administrator or the Division

Appeals Committee or granted by the Appeals Board for causes other than those enumerated in subparagraphs (1) to (7) of this paragraph (f) except where unforeseen, unusual, extraordinary or emergency conditions constituting undue and excessive hardship are proved. Certain factors which shall not be recognized as grounds for the granting of appeal tonnage are described in paragraph (g).

(g) Factors which shall not be considered as grounds for granting of tonnage on appeals. The following is a list of some of the factors which shall not be considered as grounds for the grant-ing of appeals. This list is not ex-

clusive.

The nature of a magazine's contents. (2) Diminished base period consumption because of financial conditions.

(3) Suspension of publication before the issuance of Order L-244 on December 31, 1942, except as provided in paragraph (f) (7).

(4) Consumption of more paper in any quarter of 1942 than in other quarters.

(5) Consumption of less paper in 1942 than in other years except as provided in paragraph (f) (3).

(6) Decrease in circulation, number of advertising pages, or number of editorial pages in 1942.

(7) Increase in trim size, basis weights, circulation, cover or subscription price, number of advertising pages, number of editorial pages, frequency of issuance, or other expansion measures in 1942 or thereafter.

(8) Publication of a new magazine in 1942 by a publisher who was in the magazine publishing business throughout that year.

(9) Special events such as war bond drives, recruiting drives, war news, political news,

(10) Inability to maintain or increase advertising pages, editorial pages, or circulation under existing quotas.

(11) Increased demand for a magazine, even though it is published by a membership organization whose constitution requires that a copy be sent to every member.

(12) Request to use in a new magazine publishing business more than the tonnage provided in paragraph (j) (5) of Order L-244.

(13) The fact that additional tonnage was granted on appeal to a competitor.

(14) Consumption of paper in violation of Order L-244, whether or not such violation was wilful.

# Procedure .

(h) How appeals are submitted. Appeals from Order L-244 may be filed by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244.

(i) Form of appeals. The letter of appeal need not follow any particular form. It should state informally, but completely, the particular provision appealed from, the precise relief desired, the subparagraph of paragraph (f) upon which the appellant relies, and the reasons why denial of the appeal would result in undue and excessive hardship.

(j) Denial by administrator. Appeals may be denied in the first instance by the

administrator of the order.

(k) Re-appeal from denial by administrator. When an appeal has been denied by the administrator of the order, the appellant may re-appeal, within 15 days after the letter of denial is mailed, by addressing a letter to the War Production Board, Printing and Publishing Division, Washington 25, D. C. Ref: L-244. This letter may contain simply a request that the case be forwarded to the Appeals Board of the War Production Board. Any additional information which the appellant cares to submit at this time will also be forwarded to the Appeals Board.

(1) Grant of appeals. Although the administrator of the order may deny an appeal in the first instance, only the Appeals Board has the power to grant relief in individual cases from the provisions of the order.

(m) Recommendation of grant by the administrator. The administrator of the order may recommend that an appeal be granted in whole or in part. In that event the case shall be forwarded to the Appeals Board with the written recommendation of the administrator and the written concurrence or non-concurrence of each member of the Division Appeals Committee, consisting of himself, the administrators of Orders L-240, L-241 and L-245, the Assistant Director of the Printing and Publishing Division for Labor,-and representatives of the Office of Civilian Requirements and the Conservation Division.

(n) Optional reference to Appeals Board by administrator. The administrator of the order may, if he desires, refer a case to the Appeals Board with a recommendation of denial or with no recommendation at all.

(o) Hearings by Appeals Board. If the Appeals Board desires to obtain additional facts not contained in the file, it may, in its discretion, hold a public hearing on any appeal. To the extent consistent with the necessity for emergency relief, a schedule of hearings shall be made up in advance. Information concerning the time and place of any scheduled hearing shall be available at the office of the Appeals Board at any time during business hours.

(p) Conduct of hearing. Hearings by the Appeals Board are open to the public. All interested parties may attend and, in the discretion of the Board, may be heard. The hearings are informal and the Board is not bound by legal rules of evidence. It is not necessary for an appellant to be represented by counsel, although he may do so if he wishes.

(q) Decision by Appeals Board. The Appeals Board may grant or deny an appeal in whole or in part. It may also attach conditions to a grant.

tach conditions to a grant.

(r) Finality of decision. The decisions of the Appeals Board shall be final, unless that Board elects to reopen the case.

(s) Publication of grants. Grants on appeal shall be announced publicly at least every two weeks.

(t) Announcement of grounds of decision. Whenever a grant is made for "unforeseen, unusual, extraordinary or emergency conditions" under paragraph (f) (8), a brief memorandum of the basis of the decision shall be made public by the Appeals Board within two weeks, and the decision shall be treated as a precedent in future situations of an identical character.

(u) Amendment of supplement. Whenever a new standard is developed, the supplement shall be amended to set forth that standard.

- (v) Public files. Public files shall be set up in all cases, including those filed before as well as after October 7, 1943 whether or not they resulted in a grant. They shall be available for public inspection at any time during the business hours of the War Production Board. The public files shall include:
- (1) All papers filed by the appellant in support of the appeal except these portions which contain confidential data.

(2) All memoranda by War Production Board officials containing recommendations for or against the allowance of the appeal.

(3) Copies of all letters of grant or denial.
(4) A transcript of the record of any public hearing (or if the stenographic notes of the hearing have not been transcribed, a memorandum referring to the notes and stating how a transcript may be obtained).

(w) False representations. All grants on appeal are conditional upon the validity of the statements submitted in support thereof. Any person who wilfully conceals a material fact or furnishes false information in connection with an appeal, whether orally or in writing, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both, as provided in section 35A of the United States Criminal Code.

Issued this 3d day of August 1945.

War Production Board, By J. Joseph Whelan, Recording Secretary.

[F. R. Doc. 45-14278; Filed, Aug. 3, 1945; 11:24 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Amdt. 3 to Schedule B]

SPECIAL PROGRAM FOR COTTON AND WOOL
MACHINE KNITTED ITEMS

Section 3290.120b, Schedule B to Conservation Order M-328B is hereby amended in the following respect:

In the tenth line of paragraph (c) (4), change the figure "331/37" to "66%37%."

Issued this 3d day of August 1945.

War Production Board, By J. Joseph Whelam, Recording Secretary.

[F. R. Doc. 45-14279; Filed, Aug. 3, 1945; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[Rev. R. O. 1B,1 Amdt. 1]

MILEAGE RATIONING: TIRE REGULATIONS FOR PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 1B is amended in the following respects:

- 1. Section 1.1 (a) (11) is amended to read as follows:
- (11) Grade I, as applied to tires means a new passenger-type tire.
- <sup>2</sup>7 F.R. 72.

- 2. Sections 1.3 (a) (12), 2.1 (a) (iv), 2.2 (d) (2), 2.4 (b), 2.15 (a) (1) (i), 2.23, 2.29 (c), 2.29 (d), 2.32 (i) and 2.32 (j) are hereby revoked.
- 3. Section 2.1 (a) is amended by inserting the word "new" after the phrase "to asquire a".
- 4. Section 2.1 (a) (6) is amended to read as follows:
- (6) Tire Inspection. That the applicant has declared all his tires upon a Tire Inspection Record as required by Revision Ration Order 1B, and that either the serial number of the tire to be replaced has been entered upon such Record or the applicant has Part D of a certificate authorizing the acquisition of such tire.
- 5. Sections 2.2. (a) (1), 2.3 (a) (3), 2.5 (a), 2.8 (a), 2.8 (b), 2.9 (a), 2.15 (b) (2), 2.17 (b), 2.18, 2.23 (b), 2.30 (b), 2.30 (c), 2.30 (c), 2.31 (a) (5), 2.31 (b), 2.32 (a), 2.32 (b), 2.32 (c), 2.32 (e), 2.32 (g), 2.32 (b), 2.32 (c), 2.32 (m), 232 (m), 2.32 (m), 2.32 (m), 2.32 (m), 2.32 (m), 2.32 (m), 2.32 (n), 2.32 (n)

6. Sections 2.2 (a) (3), 2.3 (a), 2.3 (a), 2.3 (a) (2), 2.4 (a) (11), 2.5 (a), 2.20, 2.27 (a) (1), 2.27 (a) (2), 2.27 (a) (3), 2.31 (a) (1), 2.31 (a) (2), and 2.31 (a) (4) are amended by inserting the word "new" before the word "tire".

7. Section 2.2 (b) is amended by deleting the phrase "or a Grade III tire".

- 8. Section 2.2 (c) is amended to read as follows:
- (c) Eligibility determined on basis of adjusted gasoline ration. When the board has adjusted an applicant's mileage requirements pursuant to paragraph (a) and (b) of this section it shall determine the applicant's eligibility for a new tire on the basis of such adjusted mileage, and as follows:
- (1) Applicants with only an "A" ration are not eligible to new tires.
- (2) Applicants with a "B" or better ration are eligible to Grade I tires.
- 9. Section 2.2 (d) (1) is amended to read as follows:
- (d) Exceptions to eligibility. (1) An applicant may establish eligibility for a Grade I tire to replace a recappable carcass only if the vehicle on which the tire is mounted is used exclusively for maintaining fire-fighting services, or investigation or patrolling necessary to the maintenance of public services, or used for making professional calls by a physician or surgeon duly licensed by the appropriate governmental authorities and regularly rendering necessary professional services of an emergency nature outside his office.
- 10. Section 2.2 (d) (3) is redesignated section 2.2 (d) (2), and amended to read as follows:
- (2) An applicant for a new tire to equip a passenger automobile which is not driven by gasoline or which has been issued a currently valid non-highway ration shall not be eligible to a Grade I tire unless the mileage driven in such ve-

hicle constitutes occupational or preferred mileage under Revised Ration Order 5E.

- 11. Section 2.3 (a) (4) is amended to read as follows:
- (4) Recapping if possible. That if the applicant is seeking to replace a tire, it is not capable of being recapped; Provided, however. That if the tire sought to be replaced is to be mounted on an ambulance or on a vehicle exclusively used for maintaining fire-fighting services or investigation or patrolling necessary to the maintenance of public police service, applicant may obtain a new tire to replace a recappable carcass; and
- 12. Section 2.4 (a) (12) (iv) is amended to read as follows:
- (iv) Such raw materials and semimanufactured goods, and finished products, including foods and farm products, as are essential to the war effort or to the public health and safety.
- 13. Section 2.5 (a) (1) is amended by deleting the phrase "for a Grade III tire or" after the phrase "the Board may issue a certificate" and by inserting the word "new" before the phrase "trucktype."
- 14. Section 2.5 (b) is amended by de-leting the word "used" before the word "tires," and inserting in lieu thereof the word "new".
- 15. Section 2.10 (a) is amended by inserting the word "new" after the phrase "to acquire a" and before the word
- 16. Section 2.11 (b) is amended by inserting the word "new" after the phrase "is applying for", and before the word "tires"
- 17. Section 2.15 (a) (1) is amended by deleting the phrase "which the applicant must turn in" after the phrase "including scrap tires"
- 18. Section 2.15 (b) (3) is amended to read as follows:
- (3) By the Director. If the Director issues OPA Form R-2 Revised for an allotment of tires under section 2.6, he shall tear off and destroy parts A and C of such certificate. On parts B and D thereof the type of tires authorized shall be specified.
- 19. Section 2.16 (b) is hereby revoked and paragraph (c) is redesignated (b).
- 20. Section 2.17 (a) is hereby revoked and paragraphs (b) and (c) are redesignated (a) and (b) respectively.
- 21. Section 2.22 is amended to read as follows:

Sec. 2.22 Inspection record—(a) Vehicles subject to inspection. Every person acquiring a vehicle equipped with tires which has not been previously registered with any board shall, within ten (10) days have the tires of such vehicle inspected, and shall be issued a tire inspection record (OPA Form PR-R 534) executed in accordance with the instructions thereon, the Part "B" of which shall be dully certified and filed with the Local Board. The tires mounted on such vehicle shall be inspected by a tire inspector appointed by the Director upon recommendation of the Board. The record must be kept with the vehicle when in

operation, unless its removal is permitted by Office of Price Administration order or authorization and must be presented for inspection at any time to, and at the request of, an inspector of the Office of Price Administration or any person whom the Director may designate for that purpose. Upon transfer of any motor vehicle to which the provisions of this section apply, the record pertaining to the vehicle, and Parts D for tires mounted on the vehicle must be transferred with it.

- (b) Report on mileage and condition of tires. The inspector shall indicate on the Tire Inspection Record as of the time of the inspection:
- (1) The odometer reading of the vehicle.
- (2) Whether the tires inspected should be replaced or recapped, and
- (3) Any repairs and adjustments necessary to keep the tires in proper running order; if the inspector indicates that repairs and adjustments,  $\theta$  other than recapping or replacements, are necessary, he shall not sign the Tire Inspection Record until such repairs or adjustments have been made.
- (c) Every person controlling the use of a vehicle equipped with tires shall keep the tire inspection record already issued to the same. The record must be kept with the vehicle when in operation, unless its removal is permitted by Office of Price Administration order or authorization, and must be presented to the Board whenever any of the tires therein declared are replaced by a tire. The Board shall then issue c new tire inspection record.
- (d) Every person who acquires a vehicle equipped with tires, shall turn in the tire inspection record of the prior owner to the Board at which application for a gasoline ration is made and thereupon a new tire inspection record shall be issued by the Board to such transferee: Provided, That if no tire inspection record has been issued, the transferee shall submit to the Board a sworn statement from the transferor, specifying the serial numbers of the tires mounted on the vehicle, and the reasons for not having obtained a tire inspection record: Provided further, That the owner of a vehicle equipped with tires for which no tire inspection record has been issued shall submit to the Board at which application for a gasoline ration is made, a sworn statement specifying the serial numbers of the tires mounted on the vehicle, and the reasons for not having obtained a tire inspection record. If the Board is satisfied thatthere is good cause for not having obtained the tire inspection record, the Board may thereupon issue a new tire inspection record to such transferee or owner. The provisions of this section shall not apply to:
- (1) Vehicles operated solely on special gasoline rations.
- (2) Vehicles not registered for use on the highway.
- (3) Farm tractor, farm implements, road-graders, earth-movers, or other industrial, mining or construction equip-

ment not designed primarily for use on the highway.

- (4) Vehicles operated by the armed forces of the United States.
- (5) Tires reported on OPA Form PR-R 17 by any person required to file such form.
- (6) Tires obtained pursuant to section 2.6.
- 22. Section 2.30 (a) is amended by deleting the phrase "recapping tires or", after the phrase "in the business of", and by inserting the word "new" before the word "tires" wherever it appears.

23. Section 2.32 (d) is amended to read

as follows:

- (d) Transfers on vehicles. Unless prohibited by an order or regulation issued by the Office of Price Administration, or by the War Production Board, a person may, without a certificate transfer a new tire as part of the equipment of a vehicle in conjunction with the transfer of such vehicle.
- 24. Section 2.32 (h) is amended by inserting the word "new" before the word "tire," wherever it appears.
- 25. Subparagraph (g) is added to section 2.32 and reads as follows:
- (g) The Director may authorize the change of original equipment tires if in his discretion such tires are not serviceable for the use to which the vehicle is to be put.
- 26. Section 3.1 (a) is amended by inserting the word "new" before the words "passenger" and "truck."
- 27. Section 3.3 is amended to read as follows:

SEC. 3.3 Records and reports of transfers—(a) Records of transfers to and from dealers, manufacturers, and warehousemen. Every dealer, manufacturer and warehouseman shall keep true, accurate and complete records of all transfers of new tire to or by him. Provided, That no records need be kept of transfers permitted by section 2.32 (e) relating to transfers for mounting or inspection. Such records shall show the serial number of the certificate or the receipt (if the transfer involved the use of a certificate or receipt), sales price, date of transfer, number, size, type and grade of new tires, and if new tires are transferred for repair, information sufficient to identify the ownership of new

This amendment shall become effective as of July 23, 1945.

Note: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Acts of

Issued this 3d day of August 1945.

SAM GILSTRAP, Territorial Director, Puerto Rico. Approved:

JAMES P. DAVIS, Regional Administrator, Region IX.

[F. R. Doc. 45-14304; Filed, Aug. 3, 1915; 11:34 a. m.]

PART 1316—COTTON TEXTILES [RPS 35,1 Amdt. 27]

CARDED GREY AND COLORED-YARN COTTON GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

The following proviso is added to the first paragraph of § 1316.61 (c) (5):

Provided further, That, regardless of the use to which they may be put, the premium may be charged and the certification as to use shall not be required for Class A drills sold and delivered between August 1 and November 15, 1945, if they are of a quality suitable for use in making finished goods to meet United States Army Specification No. 6-261, as amended.

This amendment shall become effective as of August 1, 1945.

Issued this 2d day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-14240; Filed, Aug. 2, 1945; 3:50 p. m.]

PART 1340—FUEL [RMPR 436, Amdt. 17]

CRUDE PETROLEUM, AND NATURAL AND PETROLEUM GAS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 436 is amended in the following respect:

Section 10 is amended by striking out the following words at the beginning of the second sentence "Except for specific maximum prices established for the Lance Creek field under section 10 (o) (2)."

This amendment shall become effective August 8, 1945.

Issued this 3d day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-14311; Filed, Aug. 3, 1945; 11:36 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 5C, Amdt. 13]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Ration Order 5C is amended in the following respects:

1. In § 1394.7851 (b) (8) the text preceding subdivision (i) is amended to read as follows:

For use with a passenger automobile or motorcycle to provide mileage for non-occupational purposes if, in the discretion of the Board, a denial of the ration would cause undue hardship. However, no ration shall be issued under this subparagraph for a purpose for which other special rations are provided under the provisions of this order except the purposes provided for by a veteran's separation ration pursuant to § 1394.7851 (b) (10), a furlough ration pursuant to §§ 1394.7853 or 1394.7854, or a special ration for a Canadian registered vehicle pursuant to §§ 1394.7855. The allowance and issuance of any ration under this subparagraph shall be subject to the following additional provisions:

2. Section 1394.7851 (b) (10) is added to read as follows:

(10) For use with a passenger automobile or motorcycle for travel by a person who has been in active service as a member of the armed forces of the United States and who has been separated from such active service, or by an officer of such armed services on terminal leave, for the purpose of attending to his personal affairs and of making adjustments to civilian life, including travel to find employment. However, no ration shall be issued under this paragraph for the use of a person whose separation from such service occurred more than thirty days before the date the application is filed.

The total rations issued under this subparagraph for the use of any one veteran shall not exceed thirty gallons of gasoline. (In the case of an officer who has obtained a furlough ration during the period of his terminal leave pursuant to the former provisions of § 1394.7853, the amount of gasoline provided by such ration plus the amount of gasoline provided by any ration issued under this subparagraph shall not exceed a total amount of thirty gallons.)

The application shall be accompanied by one of the following records showing that the person for whose use the ration is sought is on terminal leave or that his separation from active service in the armed forces of the United States occurred not more than thirty days before the date of filing the application:

(i) In the case of an officer of the Army or of an enlisted man of the armed forces, the applicant shall present one of the following records:

Army WD AGO. Form 100—Army Separation Qualification Record.

Navy NAVPERS Form 553—Notice of ccparation from the United States Naval Service.

Coast Guard NAVCG Form 553—Notice of separation from the United States Naval Service—Coast Guard.

Marines NAVMC Form 78 PD—United States Marine Corps Report of reparation.

(ii) In the case of a commissioned or warrant officer of the Navy, Coast Guard or Marine Corps, the applicant shall present the original signed official order releasing the officer from active duty.

The Board shall note on the back of such record the issuance of the ration and the amount of gasoline allowed.

- 3. Section 1394.7853 (a) is amended by adding the following sentence: "However, no ration may be issued under this section for use by an officer on terminal leave."
- 4. Section 1394,7853 (c) (2) (ii) is revoked.

This amendment shall become effective August 3, 1945.

Now: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1849.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 69, 421 and 507, 77th Cong.; Pub. Law 509, 78th Cong.; WFB Dir. No. 1, Supp. Dir. No. 1Q, 7 FR. 562, 9121, 8 F.R. 9492, 9363, 9 FR. 8775, 12338, 13039; E.O. 9125, 7 FR. 2719)

Issued this 3d day of August 1945.

JAMES G. ROSERS, Jr., Acting Administrator.

[F. R. Doc. 45-14307; Filed, Aug. 3, 1945; 11:35 a.m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11, Amdt. 62]

#### FUEL OIL

A rationale accompanying this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.

Revised Ration Order 11 is amended in the following respects:

- 1. Section 1394.5001 (a) (22) is amended to read as follows:
- (22) "Primary supplier" means any person who is currently registered as a primary supplier pursuant to this Order. A person is currently registered if he has a currently valid primary supplier registration number, temporary or permanent. A person who has more than one primary supplier registration is as to each registration a separate primary supplier. (Section 1394.5700 specifies the persons who must register as primary suppliers.)
- 2. Section 1394.5001 (a) (22a) is added as follows:
- (22a) "Primary supplier establishment" means any premise included in a current primary supplier registration.
- 3. Section 1394.5001 (a) (29) is amended by adding before the parenthetical sentence at the end of the paragraph the following: "Similarly, any delivery of fuel oil from one establishment to or for the account of another establishment not included in the same registration shall be deemed a transfer, and the rules which apply to transfers from one person to another apply to transfers

<sup>&</sup>lt;sup>1</sup>8 FR. 1963, 5306, 15906, 16744; 9 FR. 2020, 2237, 2477, 2790, 3339, 7700, 9278, 9838, 10088, 10921; 10 FR. 3876, 8129.

<sup>19</sup> F.R. 2357.

between separately registered establish-

ments of the same person."

4. Section 1394.5652 (a) is amended by adding, immediately before the parenthetical sentence, the following sentence: "However, this paragraph (a) shall not apply to a transfer of fuel oil between primary supplier establishments or to a transfer of fuel oil for which the consumer is required, pursuant to § 1394.-5669, to surrender ration evidences to the Office of Price Administration.'

5. The text of § 1394.5653 is amended to read as follows: "Fuel oil transfers (other than those which must be reported pursuant to § 1394.5669) may be made to, and accepted by, a consumer in exchange for currently valid coupons attached to coupon sheets upon complying with the following conditions:"

6. The text of § 1394.5653 (b) is amended by adding before the parenthetical sentence at the end of the paragraph the following sentence: "No dealer or primary supplier shall detach a coupon from a consumer's coupon sheet before the date on which the coupon becomes valid for a transfer of fuel oil.'

- 7. The text of § 1394.5654 (a) is amended by adding at the end of the paragraph the following sentence: "No dealer or primary supplier shall detach a coupon from a consumer's coupon sheet before the date on which the coupon becomes valid for a transfer of fuel oil."
- 8. Section 1394.5669 is added as follows:
- § 1394.5669 Consumers receiving fuel oil directly from without the limitation area must report. (a) Beginning August 7, 1945 a consumer (other than an agency specified in § 1394,5696 (a)) who (1) within the limitation area, receives fuel oil on direct shipment from without the limitation area by pipe line, barge, tank ship or railroad tank car. whether or not the carrier is selected by him, or by any other common or contract carrier selected by him or (2) brings fuel oil from without the limitation area to a place within the limitation area by his own transportation facility, must comply with paragraph (b) of this section unless he is currently registered as a primary supplier as to the establishment at or for the account of which the fuel oil was received. (However, if the person from whom the consumer purchased the fuel oil maintains within the limitation area a regular place of business at which the order for the fuel oil was placed, he must. instead of complying with paragraph (b), surrender evidences to his seller in the manner specified in this Order.)

(b) (1) The consumer must within fifteen (15) days after each such receipt of fuel oil, if he is a depositor, submit to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Administration, Washington 25, D. C., his ration check, payable to the Office of Price Administration, in an amount equal to the gallonage value of the fuel oil so received; if he is not a depositor, he must submit his coupon sheet to the Board which will detach therefrom valid coupons for the gallonage value of the fuel oil reported by him to have been so received. After detaching such coupons the Board will return the coupon sheet to the consumer.

(2) He must submit with his check or coupon sheet, as the case may be, a statement on OPA Form R-1119C giving the required information, or in place of the form a written report certified by him to be true and complete containing all of the following information:

(i) His name and address and the location of his storage facilities within the limitation area where the fuel oil was received;

(ii) The transferor's name and address without the limitation area where the consumer placed the order for the fuel oil:

(iii) The total amount of the fuel oil so received and the date received.

(c) The consumer may include in the report all fuel oil so received by him during the fifteen (15) day period preceding the date of the report.

(d) Section 1394.5714 explains when such a consumer may be required to register as a primary supplier. However, he shall comply with the requirements of this section as to all fuel oil which, prior to the date of his application for registration as a primary supplier, he received in, or brought into, the limitation area in the manner specified.

- (e) Records. If the consumer is a depositor, he must keep until further notice by amendment of this Order all records on the basis of which the report required by paragraph (b) (2) is prepared.
- 9. Section 1394.5700 is added following the undesignated center headnote as fol-
- § 1394.5700 Who must register as a primary supplier. (a) A person who has a place or conducts an operation as to which he is not currently registered as a primary supplier must apply for such registration with respect to the place or operation if:

(1) The place is one within the limitation area at which he refines fuel oil; or

- (2) The place is an oil well within the limitation area from which he obtains petroleum which is fuel oil as defined in § 1394.5001 (a) (15); or
- (3) The place is one which he maintains as a regular place of business (without registered fuel oil storage capacity) within the limitation area at which he receives an order for the purchase from him of fuel oil which he in turn orders at a place of business without the limitation area and the fuel oil so ordered is delivered to a person (other than himself) within the limitation area directly from without the limitation. area; or
- (4) The operation is one in which he, for his own account, delivers or causes to be delivered fuel oil directly from without the limitation area to a consumer within the limitation area, in a manner other than by pipeline, barge, tank ship or railroad tank car and he does not within the limitation area maintain a regular place of business at which the order for the fuel oil was placed (he is deemed not to have made the delivery if the fuel oil is carried in the consumer's transportation facility

or by a common or contract carrier selected by the consumer); or

(5) He is notified by the Fuel Oil Rationing Branch, Washington Office, to register as a primary supplier pursuant to § 1394.5714.

(b) (1) If he meets the conditions in paragraph (a) (1) or (a) (2), he must apply for registration as a primary supplier, in the manner set forth in § 1394.-5701 (a), with respect to the place specified, within fifteen (15) days after he begins to refine fuel oil or obtain such petroleum at that place, as the case may be.

(2) If he meets the conditions in paragraph (a) (3), he must apply for registration as a primary supplier, in the manner set forth in §1394.5701 (a), with respect to the place within the limitation area at which he received the order. within fifteen (15) days after the fuel oil ordered at that place is delivered.

(3) If he meets the conditions in paragraph (a) (4), he must apply for registration as a primary supplier, in the manner set forth in § 1394.5701 (a), within fifteen (15) days after such de-

livery is made.

(4) If he is notified to register as a primary supplier by the Fuel Oil Rationing Branch, Washington Office, he must apply for such registration, in the manner set forth in § 1394.5701 (a) within the time stated in the notice.

(c) A person required to register as a primary supplier with respect to a place of business with respect to which he is not currently registered as a dealer may not acquire or transfer fuel oil at or from (or for the account of) that place of business until he is currently registered as a primary supplier as to that place of business. However, he may acquire fuel oil at that place of business as a consumer (in exchange for valid ration evidences).

10. Section 1394.5701 (a) is amended to read as follows:

- (a) Primary suppliers. Beginning August 7, 1945 application for registration as a primary supplier must be made on OPA Form R-1116 (Revised) to any Board within the limitation area.
- (1) The applicant (other than one applying for registration pursuant to § 1394.5700 (a) (4)) must submit to the Board, in addition to the information required by the form and the copy of the notice specified in paragraph (a) (6) of this section, if applicable, a statement containing the following:
- (i) His name, firm name and business address; if he\_has no business address. the address of his residence:
- (ii) The address or location of each place required to be registered according to § 1394.5700 or § 1394.5714, whichever is applicable:

(iii) The address or location of each of his establishments within the limitation area which he chooses to include in his primary supplier registration;

(iv) The location and the fuel oil storage capacity of all stationary storage facilities within the limitation area included in the application:

(v) The fuel oil he has on hand, at the time of the application, at or for the account of each of the places within the limitation area to be included in the

registration;

(vi) If he does not maintain stationary storage facilities within the limitation area, the number of tank trucks or other mobile delivery units to be used by him for fuel oil deliveries within the limitation area, and the fuel oil storage capacity and vehicle license number of each of such trucks and delivery units;

(vii) A description of the facts which require him to register as a primary sup-

plier; and

(viii) A certification that he has included in the statement all places which he is required to include in his registration as a primary supplier and that the information set forth in the statement is

true and complete.

- (2) A person applying for registration pursuant to § 1394.5700 (a) (4) must submit a statement showing the number of tank trucks or other mobile delivery units to be used by him for fuel oil deliveries within the limitation area and the fuel oil storage capacity and vehicle license number of each of such trucks and delivery units, together with the information specified in paragraph (a) (1) (i), (vii) and (viii) of this section.
- (3) The applicant (other than one required to register as a primary supplier pursuant to § 1394.5700 (a) (4)) must include in the application for registration all the places of business within the limitation area at or from which he conducts operations which require him to register as a primary supplier. If he is applying for registration as a primary supplier pursuant to notice from the Washington Office, he must include the establishments and facilities referred to in § 1394.5714. If he has other places within the limitation area where he engages in the fuel oil business or consumes fuel oil, he may include some or all of them if he chooses to do so. However, he shall apply for registration as a dealer, in the manner provided in this order, as to each of his places (with respect to which he is not currently registered as a dealer) within the limitation area at which he engages in the business of buying and selling fuel oil and which he does not include in his application for registration as a primary supplier. Similarly, a person applying for registration as a primary supplier pursuant to § 1394.5700 (a) (4) must apply for registration as a dealer as to each of his places (with respect to which he is not currently registered as a dealer or primary supplier) within the limitation area at which he engages in the business of buying and selling fuel oil.
- (4) Separate application for registration as a primary supplier must be made with respect to the operations specified in § 1394.5700 (a) (4).
- (5) If he is registered as a dealer with respect to the place of business or operation as to which he is applying for registration as a primary supplier, he must comply with § 1394.5742.
- (6) An applicant (other than one required to register as a primary supplier pursuant to § 1394.5700 (a) (4)) may include in his application the fuel oil storage facilities of any person who re-

- ceives fuel oil on consignment from him. title to the fuel oil remaining in the consignor until the time of transfer by the consignee. The applicant must, in advance of his application, notify the consignee, in writing, of his intention to include such facilities in his application. A copy of such notice must be attached to the application. If such facilities are included in the application, the consignee shall for all purposes of this order be deemed to be an agent of the consignor with respect to all fuel oil acquired at or transferred from such facilities and with respect to all ration evidences received or transferred for such fuel oil by the consignee. If the consignee's facilities are not included in the application, the consignee shall apply for registration with respect to such facilities, and, notwithstanding the retention of title by the consignor to the fuel oil consigned, the receipt of such fuel oil by the consignee shall be deemed a transfer of the fuel oil to him and he shall include the fuel oil in his inventory.
- 11. Section 1394.5707 (a) is amended by inserting between the phrase "shall transfer fuel oil" and the phrase "to a dealer within the limitation area" the following parenthetical phrase: "(unless the transfer is one for which the transferee is required by § 1394.5713 to surrender ration evidences to the Office of Price Administration)"
- 12. Section 1394.5713 is added to read
- § 1394.5713. Dealers acquiring fuel oil directly from without the limitation area must report—(a) Dealers who receive the fuel oil directly. (1) Beginning August 7, 1945, a person who, within the limitation area, maintains a place with respect to which he is currently registered as a dealer (with or without registered fuel oil storage capacity) at or for the account of which he receives delivery of fuel oil directly from without the limitation area in any manner (irrespective of the kind of transportation facility used for the purpose or who selected it) must comply with paragraph (a) (2) of this section. (However, if the person from whom he purchased the fuel oil maintains within the limitation area a regular place of business at which the order for the fuel oil was placed, he must, instead of complying with paragraph (a) (2), surrender evidences to his seller in the manner specified in this Order.)

(2) He must within fifteen (15) days after each such receipt of fuel oil forward to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Administration, Washington 25, D. C.

(i) A statement on OPA Form R-1119C

giving the required information; and
(ii) If he is a depositor, his ration check, payable to the Office of Price Administration, equal in gallonage value to the amount of fuel oil so received from without the limitation area. If he is not a depositor, he must obtain from his Board a ration check in exchange for coupons equal in gallonage value to the amount of fuel oil so received and mustendorse and forward that check with his statement.

- (3) The dealer may include in the statement all fuel oil so received by him during the fifteen (15) day period preceding the date of the statement.
- (4) No dealer may accept a delivery of fuel oil directly from without the limitation area unless at the time of delivery he has on hand ration evidences or ration credits (as explained in § 1394.5707 (a) (6)) equal in gallonage value to the fuel oil to be so delivered.
- (b) Dealers who cause the fuel oil to be delivered to another person. (1) Beginning August 7, 1945, a person (here referred to as the seller) who, within the limitation area, maintains a place as to which he is currently registered as a dealer (with registered fuel oil storage capacity) at which he receives an order for the purchase from him of fuel oil, which he in turn orders at a place of business without the limitation area, and which fuel oil so ordered is delivered to another person (here referred to as the buyer) within the limitation area directly from without the limitation area, must comply with paragraph (b) (2) of this section.
- (2) He must within fifteen (15) days after the fuel oil so ordered is delivered forward to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Administration, Washington 25, D. C.:

(i) A statement on OPA Form R-1119C, giving the required information; and

(ii) If he is a depositor, his ration check, payable to the Office of Price Administration, equal in gallonage value to. the amount of fuel oil so delivered from without the limitation area whether or not evidences were surrendered to him by the buyer. If he is not a depositor, he must obtain from his Board a ration check in exchange for coupons equal in gallonage value to the amount of fuel oll so delivered and must endorse and forward that check with his statement.

(3) The seller may include in the statement all fuel oil delivered in the manner specified in paragraph (b) (1) of this section during the fifteen (15) day period preceding the date of the statement.

- (c) All records on the basis of which the statement required by paragraph (a) (2) (i) or (b) (2) (i) of this section is prepared shall be retained at the office of the dealer reporting until further notice by amendment of this order.
- 13. Section 1394.5714 is added as follows:
- § 1394.5714 When the Washington Office may require a person to register as a primary supplier. (a) A consumer specified in § 1394.5669, or a dealer specifled in Section 1394.5713, may be required by written notice from the Fuel Oil Rationing Branch, Washington Office, to register as a primary supplier if, based upon the frequency and quantity of his acquisitions of the fuel oil which he must report pursuant to either of these sections, it deems such registration necessary for more effective rationing control of the fuel oil so acquired.
- (b) A person who is directed to apply for registration pursuant to paragraph (a) of this section must, within the time stated in the notice, apply for registration in the manner specified in § 1394 .-

5701 (a) and must include in his application the location of all facilities where he receives fuel oil as to which he is required to report pursuant to § 1394.5669 or § 1394.5713.

14. Section 4394.5715 is added as follows:

§ 1394.5715 Cancellation of registration as a primary supplier by the Washington Office. (a) If the infrequency and quantity of the fuel oil acquisitions directly from without the limitation area of any person currently registered as a primary supplier (other than a person specified in § 1394.5700 (a) (1), (2), (3) or (4)) are such that the Fuel Oil Rationing Branch, Washington Office, deems a continuation of such registration unnecessary for effective rationing control of the fuel oil so acquired, it may notify him that effective on a date specified in that notice his registration as a primary supplier will be cancelled.

(b) A person whose registration has been cancelled pursuant to the provisions of paragraph (a) of this section must apply for registration as a dealer pursuant to § 1394.5701 (b) as to each of the establishments included in the cancelled registration at or from which he engages in the business of buying and selling fuel oil before making or accepting a transfer of fuel oil at or from such establishments on or after the date specified in the notice.

15. Section 1394.5716 is added to read as follows:

§ 1394.5716 Certain persons who received fuel oil directly from without the limitation area before August 7, 1945 may be required to report. (a) The Control and Audit Section, Fuel Oil Rationing Branch, Washington Office, may, by written notice, direct any person (other than one referred to in paragraph (b)) who, within the limitation area, received one or more deliveries of fuel oil directly from without the limitation area during the period October 1, 1942 (in Area A, February 1, 1943; in Area B, March 14, 1943) through August 7, 1945, to submit, and each person so notified must submit, to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Administration, Washington 25, D. C., by the date specified in the notice, the following:

(1) A statement on OPA Form R-1119C, giving the required information.

(2) His ration check, for each of his places included in the statement on OPA Form R-1119C, in an amount equal to the total gallonage of all the fuel oil delivered to such place, or for its account, directly from without the limitation area from October 1, 1942 (in Area A, from February 1, 1943; in Area B, from March 14, 1943) until (but not including) August 7, 1945. If he is not a depositor, he must obtain from his Board a ration check for the required amount, in exchange for valid coupons or other valid ration evidences equal in gallonage value to the amount of the check, and must endorse and submit the check with his statement.

(i) If he is a registered dealer, and claims that as to any place he is unable to

submit a certified ration-check for the required amount because prior to August 7, 1945 he surrendered to the District Office with his semi-annual reports on OPA Form R-1198, as excess evidence. valid ration evidences for the fuel oil received by him directly from without the limitation area, he must submit with the statement specified in paragraph (a) (1) of this section a copy of each of his OPA Form R-1198 reports showing, for establishment, excess evidences which he attributed to the receipt of fuel oil directly from without the limitation area and of the explanations accompanying the reports. To the extent that any of the excess evidences surrendered with those reports were stated in the explanations to be (and were) attributable to the acquisition or transfer of the fuel oil received by him directly from without the limitation area, he shall be entitled for that place to a deduction from the amount of the ration check required to be surrendered with his statement pursuant to paragraph (a) (2) of this section.

(ii) If he is unable to submit a check for the required amount because of any reason, other than that specified in paragraph (a) (2) of this section, he must submit with the statement specified in paragraph (a) (1) a written explanation giving such reason. To the extent that the explanation is not accepted, he must submit a ration check within the time specified by the Control and Audit Section.

(b) The provisions of paragraph (a) do not apply to a person who has included all his receipts of fuel oil directly from without the limitation area, during the period specified in that paragraph, in one or more reports submitted by him pursuant to § 1394.5731.

(c) The Control and Audit Section may deem the requirements of § 1394.5731 to have been met by any person referred to in paragraph (a) for the period specified in that paragraph if he complies with the requirements of this section.

(d) All records on the basis of which the statement specified in paragraph (a) (1) is prepared shall be retained by the person submitting the statement until further notice by amendment of this order.

(e) Nothing contained in this section and no act performed in accordance therewith shall constitute a waiver of any of the other provisions or requirements of this order.

16, The undesignated center headnote preceding § 1394.5731 is relocated to precede § 1394.5730 and is amended to read as follows: "Same; Accountability; Records, Audits and Inspections."

17. Section 1394.5730 is added as follows:

§ 1394.5730 Accountability of primary suppliers. A primary supplier shall be accountable as a primary supplier for all fuel oil and ration evidences acquired at or transferred from all establishments within the limitation area included in his primary supplier registration and shall explain such acquisitions and transfers upon request of a duly authorized employee, agent or representative of a dis-

trict or regional office or the Washington Office of the Office of Price Administration. However, a primary supplier whose primary supplier registration includes no regular place of business maintained by him within the limitation area shall, with respect to that registration, be accountable as a primary supplier for all fuel oil transferred to consumers within the limitation area, for all fuel oil acquired by him within the limitation area, and for all ration evidences received or transferred by him for such fuel oil and shall explain such acquisitions, receipts and transfers upon request of a duly authorized employee, agent or representative of a district or regional office or the Washington Office of the Office of Price Administration.

18. Section 1394.5732 (e) is amended to read as follows:

(e) Other records. Further record keeping requirements to be observed by dealers, primary suppliers and other persons required to report pursuant to §§ 1394.5669 and 1394.5736 are set forth in §§ 1394.5654 (a) (1) (notice to consumers of value of unexpired coupons), 1394.5654 (d) (6) (i) (receipts for deposited coupon sheets), 1394.5669 (e) (consumers receiving fuel oil from without the limitation area), 1394.5687 (d) (entries on check stub), 1394.5701 (d) (5) (additional records to be kept by dealers who commingle fuel oil), 1394.-5704 (c) (certificate of registration), 1394.5713 (c) (dealers acquiring fuel oil, or causing fuel oil to be delivered, from without the limitation area), 1394.5716 (d) (reports required of certain persons who received fuel oil from without the limitation area), 1394.5721 (use of gummed sheet), 1394.5722 (summary of coupons), 1394.5736 (records to be kept by persons shipping fuel oil into the limitation area), 1394.5742 (b) (3) (records to be kept by dealers applying for registration as primary suppliers) and section 6.4 of Revised Gen. Ration Order 3A (retention of checks, stubs, deposit slips and statements of account-ration bank-

19. Section 1394.5737 (a) is amended by adding before the last sentence of the paragraph the following parenthetical sentences: "(If pursuant to § 1394.5713, he is required to forward evidences to the Control and Audit Section, Fuel Oil Rationing Branch, Washington Office, he shall not include those evidences in his statement on OPA Form R-1198 (Revised). However, he must forward those evidences within the time and in the manner specified in § 1394.5713.)"

20. Section 1394.5742 is amended to read as follows:

§ 1394.5742 Additional requirements where dealer applies for primary supplier registration. (a) A dealer who pursuant to § 1394.5701 (a) applies for registration as a primary supplier must, with his application, submit to the Board his certificate of registration for each dealer establishment included in his application for registration as a primary supplier. Within fifteen (15) days after making such application he shall forward to the Control and Audit Section, Fuel Oil Rationing Branch, Office of Price Adminis-

tration, Washington 25, D. C. a statement on OPA Form R-1198 (Revised) giving all the information (except Item 6) required by the form as of the date of the application. If more than one place of business with respect to which he is separately registered as a dealer is included in the application, he must submit a separate statement for each such place of business. If, pursuant to Section 1394.5713 he is required to forward evidences to the Control and Audit Section, he shall not include those evidences in his statement, on OPA Form R-1198 (Revised). However, even though he has registered as a primary supplier he must comply with Section 1394.5713 with respect to all deliveries of fuel oil made to him or for his account, in the manner specified in that section, prior to the date he registered as a primary supplier.

(b) (1) On his first monthly primary supplier report (on OPA Form R-1119 (Revised)) required by § 1394.5731, he must show on Line 1 the inventory on hand as reported on Line 2 of his OPA Form R-1198 (Revised) submitted pursuant to paragraph (a) of this section. If more than one place of business was included in the application, the gallonage to be entered on Line 1 will be the aggregate of the amount shown on Line 2 of the OPA Form R-1198 (Revised) submitted for each establishment.

(2) He must, in addition, enter on that first monthly report as Line 14A (immediately above Line 15 in Section II) the following: "14A Unfilled storage capacity plus excess evidences from R-1198" and the gallonage as follows:

- (i) If not more than one place of business was included in the application, the amount of the unfilled storage capacity shown on the OPA Form R-1198 (Revised) submitted with the application, plus the full amount of excess evidences (if any) shown on Line 5 of that statement:
- (ii) If more than one place of business was included in the application, the aggregate of the amount of the unfilled storage capacity as shown on each OPA Form R-1198 (Revised) submitted with the application, plus the total amount of the excess evidences, if any, (without deducting from such total any shortage) shown on Line 5 of each such statement.
- (3) The applicant must retain at the place of business until further notice by amendment of this order the work sheets used in the preparation of the statement on OPA Form R-1198 (Revised) submitted pursuant to paragraph (a) of this section.

This amendment shall become effective on August 7, 1945.

Note: All reporting and record keeping requirements of this amendment to Revised Ration Order 11 have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 3d day of August 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-14308; Filed, Aug. 3, 1945; 11:35 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1, Amdt. 2 to Supp. 1]

LIVESTOCK SLAUGHTER AND MEAT DISTRIBUTION

Table I in Supplement No. 1 to Control Order 1 is amended by adding thereto the following:

(c) For quota periods beginning on or after August 1, 1945:

4 610	
Cattle	100
Calves	75
Sheep and lambs	110
Swine	

This amendment shall become effective as of August 1, 1945.

Issued this 3d day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-14300; Filed, Aug. 3, 1945; 11:34 a. m.]

- PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Control Order 1, Amdt. 2 to Supp. 2]
LIVESTOCK SLAUGHTER AND MEAT DISTRIBU1 TION

Section 1407.309 (a) (1) (iii) in Supplement No. 2 to Control Order 1 is added to read as follows:

(iii) For quota periods beginning on or after August 1, 1945:

PCT (	:ent
Cattle	100
Calves	75
Sheep and lambs	110
Swine	

This amendment shall become effective as of August 1, 1945.

Issued this 3d day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-14301; Filed, Aug. 3, 1945; 11:34 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Gen. RO 5,1 Amdt. 112]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 15.7 (a) is amended by deleting the first sentence and inserting the following in place thereof: "An institutional user, other than a group I, V, VI, user, beginning June 10, 1945, may not acquire "canned milk" as defined in section 27.2 of Revised Ration Order 16, except as provided for in section 10.11, unless he is an institutional user entitled to allotments under sections 7.9 or 31.1, or he is applying for a special allotment under section 27.2."

This amendment shall become effective August 7, 1945.

Issued this 3d day of August 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-14303; Filed, Aug. 3, 1545; 11:36 a.m.]

PART 1407—RATIONING OF FGOD AND FGOD PRODUCTS

[2d Rev. RO 3,1 Amdt. 29]

SUGAR

A rationale accompanying this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 16.2 (c) is amended to read as follows:

(c) A registering unit may exchange such statement for a check at its board. It must attach to the statement a signed receipt, invoice, bill of lading, or such other evidence as substantiates the delivery of the sugar. If the board is satisfied that the sugar was delivered for ships' or planes' stores it shall issue a check to the registering unit equal in weight value to the amoun' so delivered. However, if the sugar was delivered to a ship operating under the control, direction, or designation of the War Shipping Administration, the registering unit may not exchange such statement for a check at the board; but may instead, exchange such statement for a check at an appropriate office of the War Shipping Administration.

This amendment shall become effective August 3, 1945.

Issued this 3d day of August 1945.

JAMES G. ROGERS, Jr., Acting Administrator.

[F. E. Doc. 45-14305; Filed, Aug. 3, 1945; 11:34 a.m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3, Amdt. 31]

SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 5.16 is amended to read as follows:

Sec. 5.16 Certain registering units must make a semi-annual report of inventory. (a) The owner of a registering unit which includes or is composed of one or more wholesale establishments, or four or more retail establishments, must file, semi-annually, with the Board with which he is registered, a signed report on OPA Form R-346, in duplicate, as of the close of business on June 30 and Dacember 31, respectively, and give the infor-

<sup>&</sup>lt;sup>2</sup> 10 F.R. 2521, 2876, 3223, 3549, 3556.

<sup>19</sup> F.R. 1433, 1534, 2233, 2325, 2323, 3331, 3513, 3579, 3247, 3344, 4033, 4350, 4474, 4320, 5220, 5254, 5220, 5163, 5426, 5346.

mation required by the form. However, the first report must be as of the close of business on August 31, 1945. The report of inventory required under this section must be filed within 30 days after the date of inventory.

This amendment shall become effective August 7, 1945.

Note: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942

Issued this 3d day of August 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc, 45-14306; Filed, Aug. 3, 1945; 11:35 a.m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 66 to 2d Rev. Supp. 1]
PROCESSED FOODS

§ 1407.1102 (c) (22) is added to read as follows:

(22) For the reporting period beginning September 2, 1945 and ending September 29, 1945—4.5

This amendment shall become effective August 7, 1945.

Issued this 3d day of August 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Ooc. 45-14309; Filed, Aug. 3, 1945; 11:36 a.m.]

PART 1407—RATIONING OF FOOD AND FOOD
PRODUCTS

[Rev. RO 16,2 Amdt. 60]

MEATS, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 7.19 (a) is amended by deleting the first sentence and inserting the following sentence in place thereof: "An industrial user beginning June 10, 1945 may not acquire 'canned milk' as defined in section 27.1 except as provided for in section 10.11."

This amendment shall become effective August 7, 1945.

Issued this 3d day of August 1945.

James G. Rogers, Jr., Acting Administrator.

[F. R. Doc. 45-14310; Filed, Aug. 3, 1945; 11:36 a. m.]

PART 1423—GUMS AND NATURAL RESINS [MPR 297, Corr. to Amdt. 4]

NATURAL RESINS

The introductory sentence in item 1 of Amendment No. 4 to Maximum Price

Regulation No. 297 is corrected to read as follows:

1. Table I of Appendix A (a) (1), § 1423.14, is amended by changing the prices under the heading "Congo", and adding a new heading "Momboyo", as follows:

This correction shall be effective as of August 2. 1945.

Issued this 2d day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-14241; Filed, Aug. 2, 1945; 3:50 p. m.]

PART 1425—LUMBER DISTRIBUTION [RMPR 467,1 Amdt. 2]

DISTRIBUTION YARD SALES OF HARDWOOD LUMBER IN KENTUCKY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation #467 is amended in the following respects:

Section 4 (c), Table 1, is amended to read as follows on sales of lumber from yards in Kentucky.

Species	MPR	Basing point
1. Beech 2. Hickory	146 155-SC	Kenova, W. Va. Bowling Green,
3. Hard maple 4. Soft maple 5. Red and white oak and mixed hardwood No. 1 and	155-NC 155-NC 155-NC	Ky. Louisville, Ky. Do. Do.
No. 2 dimension. 6. Yellow poplar	155-NC	Do.

This amendment shall become effective August 8, 1945.

Issued this 3d day of August 1945.

James F. Brownlee.

Acting Administrator.

[F. R. Doc. 45-14312; Filed, Aug. 3, 1945; 11:37 a. m.]

# Chapter XVIII—Office of Economic Stabilization

[Directive 72]

PART 4003—SUPPORT PRICES, SUBSIDIES
CALIFORNIA RAISIN AND GRAPE PROGRAM
1945—46 MARKETING SEASON

The War Food Administrator in a letter dated May 12, 1945, and the Price Administrator in a letter dated May 18, 1945, submitted certain information and their recommendations to me relative to a California raisin and grape program for the 1945-46 marketing season. In approving a program along the general lines recommended, I find it necessary to issue this directive to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

A. I hereby find that:

(1) The following producer prices for natural condition raisins are above the legal minimum amounts required to be reflected in maximum prices for processed commodities by section 3 of the Stabilization Act of 1942, as amended, and are necessary to insure the maximum necessary production of raisins in 1945 to meet essential requirements:

Produc	er prices
Types	for 1945
Sultana, Natural	9190.00
Thompson Seedless:	-
Natural	190,00
Golden Bleached:	
Choice	230,00
Extra Choice	240,00
Fancy	250,00
Soda Bleached (choice)	210,00
Sulphur Bleached (fancy)	240,00
Natural	205.00
Valencia	267.00
Cluster	
ante Currants	250, 00

(2) Maximum prices on sales of natural condition raisins by producers to processors are not now necessary to promote the national defense.

(3) Maximum prices on sales of California grapes for table use and for home crushing at levels based upon \$57.10 per ton packing house door basis with a cushion not exceeding \$18.00 per ton are necessary to promote the national defense.

(4) Maximum prices on sales of wine, brandy, and other alcoholic products produced from California grapes should be revised to the extent necessary to reflect a return to producers of the 1945 crop of such grapes, in line, as nearly as practicable, with the return to be realized by raisin producers under the prices specified in paragraph A (1) hereof but in no event in excess of \$60.00 per ton, and that such revision will promote the national defense.

(5) The maintenance of approximately the present average level of maximum prices on sales of processed raisins to purchasers other than government procurement agencies, and other than for export, through the use of funds of Commodity Credit Corporation will effectuate the purposes of the hold-the-line policy; and

(6) Maximum prices on sales of processed raisins by processors for shipment to destinations or ports within Territories and Possessions of the United States at the same level as that applicable to sales by processors to purchasers other than government procurement agencies and other than for export to destinations and ports outside Territories and Possessions of the United States, through the use of funds of Commodity Credit Corporation will promote the national defense.

B. The Office of Price Administration is authorized and directed to:

(1) Revoke present maximum prices governing sales of natural condition raisins by producers to processors.

(2) Establish maximum prices governing sales of California grapes for table use and for home crushing at levels based upon \$57.10 per ton packing house door basis with a cushion not exceeding \$18.00 per ton.

<sup>&</sup>lt;sup>1</sup> 10 F.R. 48, 776, 924.

<sup>&</sup>lt;sup>2</sup> 10 F.R. 2521, 2875, 3223, 3549, 3556.

<sup>&</sup>lt;sup>1</sup>9 F.R. 14827.

- (3) Revise present maximum prices on sales of wine, brandy, and other alcoholic products produced from California grapes to the extent necessary to reflect a return to producers of the 1945 crop of such grapes, in line, as nearly as practicable, with the return to be realized by raisin producers under the prices specified in paragraph A (1) hereof, but in no event to exceed \$60.00 per ton.
- (4) Revise present maximum prices governing processors' sales of processed raisins to:
- (a) Government procurement agencies, and to purchasers for export to destinations or ports outside Territories and Possessions of the United States, on the basis of the cost and profit study relative to processors' margins now being made by Office of Price Administration so as to reflect the producer prices specified in paragraph A (1) hereof; and
- (b) Purchasers other than government procurement agencies, and other than for export to destinations or ports outside Territories and Possessions of the United States, on the basis of appropriate compensation for any increase in the legal minimum producer prices for 1945 above the respective legal minimum prices for 1944 and subject to such adjustments which the cost and profit study relative to processors' margins, now being made by the Office of Price Administration, may indicate.
- (5) Furnish to the Secretary of Agriculture the revised maximum price, specified in paragraph B (4) hereof, for use by the Secretary of Agriculture in determining the appropriate rate of subsidy payment.
- C. The Department of Agriculture is authorized and directed to subsidize processors' sales of processed raisins (other than Cluster Muscats and Zante Currants) to purchasers other than government procurement agencies and other than for export to destinations or ports outside Territories and Possessions of the United States, through use of funds of Commodity Credit Corporation, so as to enable such processors to pay the producer prices specified in paragraph A (1) hereof and to sell such processed raisins at applicable maximum prices to be established by the Office of Price Administration pursuant to paragraph B (4) hereof. The appropriate rate of subsidy shall be determined by the Department of Agriculture after completion of the cost and profit study relative to processors' margins which is now being made by the Office of Price Administration and the maximum prices based upon such study have been issued by the Office of Price Administration.

(E.O. 9250 and E.O. 9328, 3 CFR Cum, Supp. pp. 1213, 1267),

Issued and effective this first day of August, 1945.

Thomas I. Emerson,
Acting Economic
Stabilization Director.

[F. R. Doc. 45-14355; Filed, Aug. 3, 1945; 11:50 a.m.]

Chapter XX—Office of Contract Settlement

[Reg. 14, Amdt. 2]

PART 8004—TERMINATION COST MEMORANDUMS

FIXED-PRICE SUPPLY CONTRACTS

Part 8014 (10 F.R. 2312 and 3925) is redesignated as Part 8004 and §§ 8014.1 through 8014.9 are redesignated as §§ 8004.1 through 8004.9.

Pursuant to section 2 of Regulation No. 14 of this Office, Regulation No. 14 is hereby amended to incorporate Termination Cost Memorandums Nos. 10 through 15 which are hereby issued as a part of such regulation.

§ 8004.10 Engineering and development, special tooling, and preparatory expenses—(a) Reference to Statement of Cost Principles. (1) The statement provides for the inclusion of the costs of engineering and development and of special tooling as follows (subpar. 1 (e)):

Engineering and development and special tooling. Costs of engineering and development and of special teoling: Provided, That the contractor protects any interests of the Government by transfer of title or by other means deemed appropriate by the Government.

- (2) Engineering and development and special tooling are included among the costs subject to limitation under subparagraph 1 (i) of the Statement of Cost Principles (see § 8004.5).
- (3) Although the statement does not refer in specific terms to preparatory expenses, their recognition is inherent in the general-statement of costs included therein.
- (b) Definitions. (1) The term "engineering and development", as used herein, refers to the design of the product, the detailed engineering specifications, the design of special tooling, the planning of production processes and layout, and related functions performed specially for the contract, or the contract and other war production contracts.
- and other war production contracts.

  (2) The term "special tooling" includes ligs, dies, fixtures, moulds, gauges, and other similar equipment acquired or produced by the war contractor specially for the war contract or for the contract and other war production contracts. The term does not relate to buildings, building, equipment, and machine tools; nor to tools such as cutting tools and hand tools which usually lose their utility through wear and tear rather than through obsolescence.
- (3) The term "preparatory expenses" refers to expenses incurred in preparing to operate specially under the contract, or the contract and other war production contracts. It includes the reasonable costs of plant rearrangement and alterations, organization, planning, and similar activities carried on specially for the contract, or the contract and other war production contracts. It does not include special facilities or initial costs, which are the subjects of other cost memorandums (see §§ 8004.7 and 8004.9).

- (4) The phrase "other war production contracts", as used in subparagraphs (1), (2), and (3) of this paragraph, refers only to such war production contracts as were in existence at the time the special tooling was acquired or the costs of engineering and development or preparatory work were incurred; or such contracts as were at that time so certain to be entered into that the costs of this character could reasonably have been incurred for them, as well as for the terminated contract. For purposes of this section, time of acquisition means the date an order was placed or the date of authorization of work or construction by the contractor.
- (c) Interpretations. (1) The basis for the inclusion of costs of engineering and development, special tooling, and preparatory work is the amount of such costs which, if the contract had not been terminated, would have been properly chargeable to the terminated portion of the contract (see subparagraph (3) of this paragraph. In this respect the accounting treatment used by the contractor in his books and records is not necessarily controlling. However, when costs of the nature discussed in this section are included, additional depreciation or amortization of the same items will be excluded.
- (2) Special tooling and similar items ° covered by this section will ordinarily become obsolete at the termination of the contract and, consequently, their only residual value will usually be as scrap. If the tooling or other items are retained by the contractor or sold to a third party, their retention value or the proceeds of any sale should be treated as a disposal credit in the contractor's settlement proposal and not as a reduction of the cost of the special items subject to amortization. Where the rate of amortization takes into account the continuing war production contracts for which the costs were incurred, the dis- o posal credit should not include the value of the tooling or other items to the contractor for use on such other work but only their ultimate disposal value. However, where the disposal value consists only of scrap and it has been the contractor's consistent practice to credit all tool scrap to overhead, such practice will be acceptable without applying the scrap value as a disposal credit.
- (3) Ordinarily, the unit quantities of deliveries will be an acceptable basis for the allocation of the costs of engineering and development, special tooling, and preparatory work (i) to the terminated contract where more than one contract is involved and (ii) between the completed and terminated portions of the contract. However, if the contract or contracts include products of a diverse nature, some other equitable basis may be used, such as machine or labor hours.
- (4) Particular care should be taken to determine that tooling and other costs are special as defined herein. The bid proposal or other records relating to the negotiation or performance of the contract, which may indicate whether the

costs were contempleted by the parties, are important, but not necessarily controlling, evidence that the tooling or other property was acquired or the work done specially for the contract or for the contract and other war production contracts. In the absence of such specific evidence, other satisfactory evidence will be required. In no case will the contractor's unsupported assertion on this point be considered sufficient. and a representation by the contractor at the time the contract was negotiated that it did not need special tooling or other items for its performance will indicate that such acquisition or cost was not contemplated.

(5) In most cases it will not be desirable for the Government to take title to special tooling and similar items covered by this memorandum. Generally, the contractor should be permitted to retain the items, and the contracting agency should protect the Government's

interests:

(i) By taking into consideration, in determining the rate of amortization, the use of the special tooling or other items on other war production contracts of the contractor; and

(ii) By obtaining a proper disposal credit in the settlement agreement, as provided by paragraph (c) (2) above;

(iii) Where there is a possibility that the tooling or other items may be needed for Government purposes within a reasonable period, by appropriate arrange-

ments for the use of such items.

§ 8004.11 Settlement expenses and costs of protection and disposition of property—(a) Reference to Statement of Cost Principles. The statement provides for the inclusion of settlement expenses and costs of protection and disposition of property as follows (subpars. 1 (k) and (l)):

Settlement expenses. Reasonable accounting, legal, clerical, and other expenses necessary in connection with the termination and settlement of the contract and subcontracts and purchase orders thereunder, including expenses incurred for the purpose of obtaining payment from the Government only to the extent reasonably necessary for the preparation and presentation of settlement proposals and cost evidence in connection therewith.

Protection and disposition of property. Storage; transportation and other costs incurred for the protection of property acquired or produced for the contract or in connection with the disposition of such property.

(b) Definitions. (1) The costs and expenses covered by subparagraphs 1 (k) and (l) of the Statement of Cost Principles include such items as are incident to effecting terminations, termination settlements, and the protection and disposition of property acquired or produced for the contract and on hand at the date of termination. They do not include: (i) the costs of idle equipment, facilities, and personnel and (ii) accounting, legal, clerical, and other costs and expenses incurred in any appeal, either within a contracting agency or to the Appeal Board of the Office of Contract Settlement, or in any arbitration, mediation or suit in court, where such proceed-

ing is instituted for the purpose of obtaining payment in excess of the amount the Government has determined to be due. Nothing herein shall be deemed to preclude recovery of the reasonable costs and expenses of settling termination claims of subcontractors related to the terminated portion of any war contract.

(2) The costs of preservation and protection of termination inventory include the necessary greasing, packing, and any other special treatment accorded termination inventory to insure the maintenance of its condition as well as the cost of special precautions necessary to insure its safety. Such costs should be distinguished from storage of termination inventory, the cost of which may include (i) amounts actually paid or payable to outside parties and (ii) a reasonable allocation of the contractor's own costs.

(c) Interpretations. (1) To the extent practicable, the costs and expenses covered by this section should be segregated and charged directly to particular terminated contracts. However, where direct charging is not practicable, any method of allocating these expenses may be used which produces results consistent with the principles set forth in subparagraph (3) of this paragraph. The method used may be based on estimates in the light of past experience and reasonably anticipated future terminations. In the absence of a more appropriate basis of allocation, expenses not charged directly may be allocated to particular terminated contracts by the application of a properly computed rate to the amount of the contractor's own costs included in the settlement proposals.

(2) Settlement expenses and costs of protection and disposition of property may include a properly allocable portion of the costs, including overhead, of special termination units or departments and regularly established organizational units. In such cases, it is not necessary that the expenses of such units or departments be identified with specific contracts, but the services performed must be directly related to termination activities. Factory and administrative overhead may be included as a settlement expense only to the extent that the elements of such overhead are properly allocable to such termination units or departments.

(3) Whatever method is used to allocate settlement and property expenses, the cumulative amount included for these expenses in all termination settlements to date should not exceed the cumulative total of such expenses actually incurred, and the total amount included in any single termination settlement proposal should not exceed an amount reasonably necessary to settle the contract in question.

(4) The cost of microfilming or preserving records of a war contractor will ordinarily be classified as general and administrative expense and should not be included as a direct settlement expense in a termination settlement.

(5) Regulation No. 10 of this Office relates to the clearance of termination inventory from plants of war contractors. Section 4 of that regulation pro-

vides for reimbursement of the Costs thereof as follows:

Contractor's right to store at his own risk. A war contractor may at any time remove from his plant and store on his own premises or elsewhere any of the above materials at his own risk. The war contractor will use reasonable care in the transportation and preservation of material so removed and stored, and will comply with any directions or specifications covering removal, preservation, transportation and storage which may be issued by the contracting agoncy. The war contractor is entitled to be reimbursed for the reasonable cost of (1) nocessary or appropriate transportation, preservation, pretetion and storage, and (ii) compliance with any directions or specifications in connection therewith issued by the contracting agency. Ordinarily, charges for storage of termination inventory prior to the expiration of the plant clearance period will not be deemed a reasonable settlement expense.

(6) Section 5 of Regulation 10 provides for the removal and storage of termination inventory after the 60-day plant clearance period as follows:

Contractor's right to remove or store at Government expense and risk. If the contracting agency fails to arrange for storage by the war contractor or to remove any tormination inventory within 60 days after its receipt of a satisfactory inventory schedule (or within such longer period as the contractor may agree), the contractor may remove, and store at the Government's expense and risk, any or all those materials remaining, using reasonable care in the transportation and preservation of materials so removed and stored. The words "at the Government's expense and risk" mean, among other things, that the contractor is not required to insure such materials.

(7) In accordance with the foregoing references, the contractor may include in its settlement proposal the reasonable and necessary costs of transportation, preservation, and protection of termination inventory, regardless of whether such costs are incurred prior or subsequent to the expiration of the 60-day plant clearance period.

(8) Charges for storage of termination inventory may ordinarily be included only for the time following the 60-day plant clearance period. However, if the 60-day period is unreasonable in a particular case, the cost of storage of termination inventory prior to the expiration of such period may be included.

§ 8004.12 Depreciation—(a) Reference to Statement of Cost Principles. The statement provides for the inclusion of depreciation as follows (subpar. 1 (c)):

Depreciation. An allowance for depreciation at appropriate rates on buildings, machinery, and equipment, and other facilities including such amounts for obsolescence due to progress in the arts and other factors as are ordinarily given consideration in determining depreciation rates. Depreciation as defined herein shall not include loss of useful value of the type covered by subparagraph (f).

(b) Definition. The term "depreciation" is used herein in the usual commercial accounting sense to denote that part of the cost of a fixed asset which is charged to a particular period on the basis of distributing its cost over its estimated useful life. It should be distinguished from amortization of special

tooling and loss of useful value of special facilities, which are separately provided for in subparagraphs 1 (e) and (f) of the Statement of Cost Principles (see §§ 8004.9 and 8004.10), as well as from amortization of emergency facilities under section 124 of the Internal Revenue Code.

(c) Interpretations. (1) To be includible as a cost of a terminated contract, depreciation must have accrued during the performance of the contract and be chargeable to the work done thereunder in accordance with accepted methods of accounting allocation. Any recognized method of computing depreciation may be used and where the contractor has consistently employed a recognized method, it will be expected to continue to use such method. Depreciation shall be includible only in respect of facilities owned by the contractor.

(2) Depreciation should ordinarily be computed at the rates customarily used by the contractor, which may reflect accelerated depreciation if the contractor can demonstrate the reasonableness of such accelerated rates in the light of unusually intensive or abnormal use of the related assets. The depreciation rates used by the contractor for Federal income tax purposes will ordinarily be acceptable, although they are not controlling.

(3) The fact that a facility is amortized at a rate of 20 percent per annum pursuant to section 124 of the Internal Revenue Code is not significant in determining the rate of depreciation to be used for purposes of contract termination. However, buildings, facilities, and tooling not qualifying for the special treatment accorded under subparagraphs 1 (e) and (f) of the Statement of Cost Principles may in some cases be amortized at higher rates than ordinary de-

preciation where such assets have a high rate of obsolescence due to their special nature or utility primarily for war production.

(4) Consistency from year to year in the method and rates of depreciation used is a significant factor in determining the appropriateness of the charge for depreciation in a particular accounting period. Therefore, any deviation from book depreciation, such as to reflect current depreciation on assets fully depreciated on the books, will raise a question as to the propriety of the depreciation charges as a whole.

§ 8004.13 Advertising expense—(a) Reference to Statement of Cost Principles. (1) The statement provides for the inclusion of advertising expense as follows (subpar. 1 (h)):

Advertising. Advertising expense to the extent consistent with a prewar program or to the extent reasonable under, the circumstances.

(2) Advertising expense is included among the costs subject to limitation under subparagraph 1 (i) of the Statement of Cost Principles (see § 8004.5).

(b) Definition. The term "advertising expense," as used herein, includes the expense of operating an advertising department within the contractor's organization as well as expense incurred in the use of advertising media.

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(c) Interpretations. (1) Where advertising expense represents a nominal amount in relation to the operations and other expenses of the contractor, the entire amount may be classified with general, administrative, and distribution expenses and allocated to the terminated contract in accordance with § 8064.2. Otherwise, it should be treated in accordance with the principles set forth below.

(2) The amount of advertising expense properly allocable to Government sales should be measured by its consistency with the contractor's prewar program unless such program does not provide an adequate basis for comparison, as in the case of newly organized companies. Where the consistency basis is not applicable, the reasonableness of the amount of advertising expense to be included in the settlement proposal will be determined in the light of the circumstances of each case.

(3) Where the allowable advertising expense is determined by reference to a prewar program, consideration may be given to the following factors:

(i) The period used to measure the prewar program may represent the four calendar years 1936 to 1939, inclusive, or the most nearly equivalent fiscal years. If the contractor was not in business during this entire period any representative period during which it was in business during such years may be used.

(ii) Advertising chargeable to the period of operation under the contract in excess of the average dollar amount for the prewar period should not be included in the amount to be allocated between Government contracts and other business

(iii) The contractor's non-war business for the period of the contract should first be charged with advertising up to the prewar percentage of sales. In other words, to the extent that the contractor's prewar business has been maintained, no advertising should be charged to Government contracts.

(iv) Advertising should not be charged to Government contracts at a rate higher than the prewar percentage of sales.

(v) The amount of advertising expense allocated to Government sales in accordance with the principles set forth herein may be allocated to the terminated contract on the basis of sales (the amount of the termination settlement to be treated as a sale), cost of sales, or on any other reasonable basis.

§ 8004.14 General experimental and research expense—(a) Reference to Statement of Cost Principles. (1) The statement provides for the inclusion of general experimental and research expense as follows (subpar. 1 (d)):

Experimental and research expense. General experimental and research expense to the extent consistent with an established prewar program, or to the extent related to war purposes.

(2) Experimental and research expense is included among the costs subject to limitation under subparagraph 1 (i) of the Statement of Cost Principles (see § 8004.5).

(b) Definition. The term "general experimental and research expense", as used herein, refers to expenses incurred on projects of a basic and general nature and in the development of new products and processes, as distinguished from process engineering, tool development and similar activities related to particular contracts. The term does not refer to routine shop experiments in production methods and similar activities which are usually classified with factory overhead.

(c) Interpretations. (1) If income from royalties or from the sale of patents or rights is derived from general experimental and research programs carried on currently or in the past, such income should be deducted from the amount of general experimental and research expense to be allocated to the terminated contract.

(2) Where general experimental and research expense represents a nominal amount in relation to the operations and other expenses of the contractor, the entire amount may be classified with general, administrative and distribution expenses and allocated to the terminated contract in accordance with \$8004.2. Otherwise, it should be treated in accordance with the principles set forth below.

(3) The amount of general experimental and research expense properly allocable to Government sales should be measured by its consistency with the contractor's prewar program unless such program does not provide an adequate basis for comparison, as in the case of newly organized companies. Where the consistency basis is not applicable, the amount of general experimental and research expense to be considered for apportionment between Government sales and other work will be limited to such expense as is related to war purposes.

(4) Where the allowable general experimental and research expense is determined by reference to a prewar program, consideration may be given to the fol-

lowing factors:

(1) The period used to measure the prewar program may represent the four calendar years 1936 to 1939, inclusive, or the most nearly equivalent fiscal years. If the contractor was not in business during this entire period, any representative period during which it was in business during such years may be used.

(ii) General experimental and reserch expense chargeable to the period of operation under the contract in excess of the average dollar amount for the prewar period should not be included in the amount to be allocated between Government contracts and other business.

(III) The contractor's non-war business for the period of the contract should first be charged with the amount of general experimental and research expense up to the prewar percentage of sales. In other words, to the extent that the contractor's prewar business has been maintained, no amount of this expense should be charged to Government contracts.

(Iv) General experimental and research expense should not be charged to Government contracts at a rate higher than the prewar percentage of sales.

(v) The amount of the expense allocated to Government sales in accordance with the principles set forth herein may be allocated to the terminated contract on the basis of sales (the amount of the termination settlement to be treated as a sale), cost of sales, or on any other reasonable basis.

§ 8004.15 Cash discounts on purchases—(a) Reference to Statement of Cost Principles. The statement does not refer in specific terms to cash discounts

on purchases.

(b) Definition. The term "cash discount on purchases", as used herein, refers to a reduction in the amount paid to a vendor for the purchase of any items included in a termination settlement, solely by reason of the payment therefor within a specified period. It should be differentiated from trade discounts, rebates, and other allowances, which are usually treated as a direct deduction from the purchase price of the items to which they relate.

(c) Interpretations. (1) Cash discounts on purchases realized by the contractor in respect of items included in the termination settlement should be reflected as deductions from the contractor's costs included therein. Where it is not the contractor's usual accounting practice to deduct cash discounts from the individual purchases to which they apply, such as where the discounts are credited to income, the amount of cash discounts (estimated, if necessary) may be deducted in a single amount from the entire inventory or other cost.

(2) Where it is the contractor's usual practice to credit cash discounts to factory overhead or to general and administrative expenses, such treatment will ordinarily be acceptable.

> J. HAROLD STEWART, Acting Director.

JULY 26, 1945.

[F. R. Doc. 45-14239; Filed, Aug. 2, 1945; 3:33 p. m.]

Chapter XXIII-Surplus Property Board [SPB Reg. 1, Amdt. 1 to Order 3]

PART 8301-DESIGNATION OF DISPOSAL AGENCIES AND-PROCEDURES FOR REPORT-ING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS. TERRITORIES AND POSSESSIONS

FORMS FOR DECLARATION OF SURPLUS

Order No. 3 (10 F.R. 3771, 4356), issued April 2, 1945, effective May 1, 1945, entitled "Forms for Declaration of Surplus", under Surplus Property Board Regulation No. 1 (10 F.R. 3764, 4356), entitled "Designation of Disposal Agencies and Procedures for Reporting Surplus Property Located Within the Continental United States, its Territories and Possessions", is hereby amended as follows:

- 1. Section 4 is amended by inserting after the words "Forms SPB-1, SPB-1.1," the following: "SPB-1.2, SPB-1.3,"
- 2. After section 5 there are added the following new sections 6 and 7:

SEC. 6. Form SPB-1.2, Declaration of Surplus Property to Disposal Agency, as attached hereto, may be used by the War Department as a substitute for Form SPB-1 in declaring to the Reconstruction Finance Corporation surplus property lo-

cated within the continental United States, its territories and possessions, resulting from contractor inventory. Form SPB-1.3, Listing Sheet, as attached hereto, may be used as the detailed listing sheet in support of Form SPB-1.2, as a substitute for Form SPB-1, "Continuation Sheet". Forms SPB-1.2 and SPB-1.3 will be prepared in accordance with the instructions attached thereto.

Sec. 7. The Reconstruction Finance Corporation is authorized to correct or adjust a declaration previously made on SPB-1.2 and SPB-1.3 by the War Department to conform to the property thereafter delivered to or upon the order of the Reconstruction Finance Corporation. When the Reconstruction Finance Corporation makes such correction or adjustment without the submission by the owning agency of a Form SPB-1.1 covering such correction or adjustment, the submission of such Form SPB-1.1 may be omitted.

This amendment shall become effective August 1, 1945.

Note: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER Are for information only and do not follow the exact format prescribed by the issuing agency.

> SURPLUS PROPERTY BOARD, By A. E. Howse,

Administrator. JULY 31, 1945.

Form SPB-1.2	F	Budget Bureau No. 16-RO46, Approval expires February 1, 1946,						
DECLARATION O	7. Standard commodity classification group code 8. Date of report							
1. To: Name and address of disposal agency					9. Reporting agency No. 10. Total cost report \$			
2. From: Name	and address of report	ing agenc	У					
		•			Disposal as	DO NOT 1	AIPP 19	
2 Custodian: N	ame and address					it and bureau		
o. Custodian. 1	ame and address				State	ic and outeau		
		,			District			
4. Location of pr					City			
4. Location of pr	operty				Site			
					Transaction	n code	<u> </u>	
bursable,"	proceeds are "reingive symbol and tit ation of Governmen	ie	ithorized b	у	D			,
		(Nan	portir	le of aut ng official ase type)	horized ro-	· By ———————————————————————————————————	ure of autho	rized official)
uments at	eclaration covers the stothe disposal agency time of receipt of fin or truck shipments:	Surplus P y to amen al shipme	ersonal Pr d this decl ent. Shipp	operty or aration t ping auti	attached list conform to corization nu	st pages to the quantitie umbers are re	, inclusivo s listed on s quested cov	Authority hipping doc- ering the fel-
12. Documentar	y requirements	13. Originating carrier	14. Esti- mated weight	15. Typ storage		17. Date ready for shipment	18. Date to be shipped	19. Slilp- ping au- thorization No.
A. Send w	arehouse receiving to:	<u>-</u>	,	,			•	
	he report of over, , and damage to:		Ì				•	

22. Shipping instructions issued by:

23. Date issued:

INSTRUCTIONS FOR USE OF FORM SPB-1.2 GENERAL INSTRUCTIONS

20. The above shipments, are to be consigned as follows:

21. Delivering carrier:

Form SPB-1.2 is a combined form for declaration of surplus personal property, located in the continental United States, its territories and possessions, for requesting ship-

ping instructions and for issuing shipping instructions. Form SPB-1.2 (supported by detailed listings of property on Form SPB-1.3, or other detailed listings of property meeting the requirements set forth in the third paragraph of General Instructions to Form SPB-1) may be used as a substitute

Declaration

Request for shipping instructions

for Form SPB-1 as provided in SPB Reg. 1, Order 3 and amendments thereto. Form SPB-1.2 and supporting detailed listings will be filed in such number of copies as may be agreed between the owning agency and the

disposal agency.

Form SPB-1.2 may be reproduced by the owning agency provided that the size and format are identical with the format prescribed by the Board. This form may be reproduced in fanfold and carry the name of the owning agency imprinted on the form.

The items of property covered by any one declaration shall be confined to property

at a single location.

If any legal restrictions exist (including patent restrictions) as to the power of own ing agencies to dispose of property reported to a disposal agency as surplus, the report shall include a statement clearly indicating such restrictions.

#### INSTRUCTIONS FOR PREPARATION

Blocks 1 through 10-Follow instructions set forth in General Instructions to Form SPB-1 for blocks 1 through 10 of that Form.

\*\*Block 11—Enter page number of supporting\*\* detailed listings.

Block 12-Owning agency will designate offices to which disposal agency will transmit Warehouse Receiving Report and Over, Short & Damage Report.

Blocks 13 through 17—Owning agency will complete in accordance with instructions issued by disposal agency.

Blocks 18 through 23—Disposal agency will complete.

Block 24—Owning agency will indicate whether the document constitutes a Declaration or a Request for Shipping Instructions by entering an "x" in the appropriate box; or, if the document is a combined Declaration and Request for Shipping Instructions, by entering an "x" in both boxes.

# 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 30 21 22 23 24 25 37 27 28 20 30 31 32 33 34 35 23 37 33 39 49 41 42 43 44 45 49 47 43 49 50

Budge	SPB 1.3 LISTING Units of Bureau No. 16-RO47. SHEET Surp valexpires February 1, 1946.	ed States of America lus Property Board	Proper	ty Classif	Cention	Regar	ting Assney	No. Ship	oing Autho	rization	Page of Pages
Item No.	Description and type of stor	Std. Comm. Cond.	Unit of Meas.	No. ci Pkg3.	Type of Pkg.	Pkg. No.	Quantity Declared	Quantity Shipped	Unit Cost	Total Cost	Quantity Received
(1)	(2)	(3) (4)	(5)	Ø	ர	(8)	(O)	(10)	(11)	(12)	(13)
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# DI 122 53 AN 155 CO 57 CS CO CO 01 62 63 AN 65 CO 67 CS CO 7071 7273 74 75 70 77 78 70 80 81 82 83 84 85 80 87 83 50 60 1 62 63 04 95 66 57 93 60 100

## INSTRUCTIONS FOR USE OF FORM SPB-1.3

Form SPB-1.3 is a detailed listing sheet to be used in conjunction with Form SPB-1 or Form SPB-1.2 in the declaration of surplus personal property, located in the continental United States, its territories and possessions. Form SPB-1.3 may be used as the detailed listing sheet in support of Form SPB-1.2 as provided in SPB Reg. 1, Order 3, and amendments thereto. Form SPB-1.3 includes certain columns for use by the owning agency and the disposal agency in connection with shipment and receipt and may be used as a detailed listing in support of shipping and receiving documents.

Form SPB-1.3 may be reproduced by the owning agency provided that the size and format are identical with the format prescribed by the Board.

The instructions applicable to columns "a" through "h" of Form SPB-1 (as set forth in General Instructions to Form SPB-1) will be followed in preparing columns 1, 2, 3, 4, 5, 9, 11 and 12, respectively of Form SPB-13. The owning agency will issue instructions for the preparation of columns 6, 7 and 8 (which are provided for use in connection with shipment by the owning agency); and the disposal agency will issue instructions for the preparation of column 13 (which is provided for use in connection with receipt by the disposal agency).

[F. R. Doc. 45-14273; Filed, Aug. 3, 1945; 11:07 a. m.]

No. 155-

# TITLE 37—PATENTS AND COPYRIGHTS

Chapter I-Patent Office, Department of Commerce

[Order 379]

PART 3-LICENSES TO FILE APPLICATIONS FOR PATENTS IN FOREIGN COUNTRIES

#### EXTENSION OF LICENSES

A new section is added reading as follows:

§ 3.17 Extension of licenses. Whenever a license to file an application in a foreign country has heretofore been granted or is hereafter granted by the Commissioner of Patents, under the provisions of Public Law 239, 77th Congress, Approved August 21, 1941 (55 Stat. 657: 35 U.S.C. 42a), the license is, in each case, hereby revived, renewed and extended to additionally empower the licensee under authority of said license, to forward all duplicate and formal papers to the foreign country and to make all amendments necessary for the prosecution of such application, excluding supplements and continuances originating in this country which disclose inventions, modifications or variations not disclosed in the application authorized under the license. Licensee should apply to the envelope in which material is forwarded to the foreign country under this addi-

tional authority, the legend "License ... Commissioner of Patents", inserting the number of the license.

(Pub. Law 239, 77th Cong., approved Aug. 21, 1941, 55 Stat. 657, 35 U.S.C. 42a)

[SEAL]

CASPER W. Oolis, Commissioner of Patents.

Approved: August 2, 1945.

H. A. WALLACE, Secretary of Commerce.

[P. R. Doc. 45-14257; Filed, Aug. 3, 1945; 9:34 a. m.]

# TITLE 43-PUBLIC LANDS: INTERIOR

Chapter I-General Land Office

Appendix-Public Land Orders [Public Land Order 230] -

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department:

Beginning at a point on the west boundary of the area withdrawn for the use of the War Department by Executive Order No. 8577, October 29, 1940, from which the south corner of said tract on line 7-8 U.S. Survey No. 2082, Alaska, bears S. 45°55' E. 100 feet in approximate latitude 66°53' N., longitude 162°38'30'' W.

From the point of beginning,
N. 45°55' W., 164 feet, along southwest
boundary of the previously withdrawn area;
N. 44°05' E., 198 feet, along northwest
boundary of said area;
N. 45°55' W. 111 6°55'

oundary of said area;

N. 45°55' W., 111 feet;

S. 44°05' W., 182 feet;

N. 45°55' W., 40 feet;

S. 44°05' W., 80 feet;

S. 45°55' E., 40 feet;

S. 45°55' E., 20 feet;

S. 45°55' E., 275 feet;

N. 44°05' E., 257.92 feet, to the place of eginning. beginning.

The tract as described contains 2.20 acres.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, .1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

ABE FORTAS. Acting Secretary of the Interior.

JULY 25, 1945.

[F. R. Doc. 45-14251; Filed, Aug. 2, 1945; 4:37 p. m.]

### [Public Land Order 291]

#### WYOMING AND COLORADO

POWER SITE RESTORATION; PARTIAL REVOCA-TION OF EXECUTIVE ORDERS

Power Site Restoration No. 499. Revoking in part Executive Orders creating Power Site Reserves Nos. 128, 137, 233, 348, 413, 417, 435, and 445.

By virtue of the authority contained in the act of June 25, 1910 (36 Stat. 847), as amended by the act of August 24, 1912 (37 Stat. 497, 43 U.S.C. secs. 141–143), and pursuant to Executive Order No. 9337 of April 24, 1943; It is ordered, as follows:

1. The Executive order of July 2, 1910, creating Power Site Reserve No. 128, is hereby revoked as to the following described land:

SIXTH PRINCIPAL MERIDIAN, WYOMING T. 18 N., R. 120 W., sec. 32, W1/2NW1/4.

2. The Executive order of July 2, 1910, creating Power Site Reserve No. 137, is hereby revoked as to the following described lands:

WIND RIVER MERIDIAN, WYOMING

T. 4 N., R. 6 E., Sec. 3, lot 2, SW1/4NW1/4, and W1/2SW1/4;

Sec. 4, lot 2; Sec. 9, lots 2, 4, and 5, and SW1/4NW1/4; Sec. 16, lots 7 and 8.

3. The Executive order of November 23, 1911, creating Power Site Reserve No. 233, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 48 N., R. 101 W. Sec. 26, SW4SW4; Sec. 27, SE4NE4 and NE4SE4; Sec. 35, NW4NW4.

 The Executive order of March 27, 1913, creating Power Site Reserve No. 348, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 51 N., R. 104 W., Sec. 13, lot 26; Sec. 24, lots 10 and 13.

The Executive order of January 24. 1914, creating Power Site Reserve No. 413, is hereby revoked as to the following described land:

SIXTH PRINCIPAL MERIDIAN, WYOMING T. 27 N., R. 69 W., sec. 27, NW1/4NW1/4.

The Executive order of January 21, 1914, creating Power Site Reserve No. 417, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING T. 24 N., R. 83 W., sec. 26, SW1/4 and W1/2 SE1/4.

7. The Executive order of April 21. 1914, creating Power Site Reserve No. 435, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 10 N., R. 79 W., sec, 7, lot 4. T. 11 N., R. 79 W., sec. 31, lot 3 and NE1/4SW1/4. T. 10 N., R. 80 W.,

Sec. 11, W1/2SE1/4; Sec. 14, W%NE%; Sec. 34, SE1/4 NE1/4.

8. The Executive order of September 9, 1914, creating Power Site Reserve No. 445, is hereby revoked as to the following described lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 40 N., R. 106 W., sec. 14, lots 4 and 5. T. 41 N., R. 106 W.,

Sec. 22, SW1/4SW1/4 and NW1/4SE1/4; Sec. 27, W1/2NW1/4;

Sec. 28, E1/2 SE1/4;

Sec. 34, SW 1/4 NE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, and NW 1/SE 1/4.

The areas described aggregate 1,765.21 acres.

ABE FORTAS. Acting Secretary of the Interior.

JULY 25, 1945.

[F. R. Doc. 45-14252; Filed, Aug. 2, 1945; 4:37 p. m.]

# [Public Land Order 292]

# CALIFORNIA

REDUCING THE WITHDRAWAL MADE BY EXECU-TIVE ORDER NO. 6361 OF OCTOBER 25, 1938

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910, c. 421, 36 Stat. 847 (U.S.C., title 43, sec. 141), and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 6361 of October 25, 1933, withdrawing certain public lands in California for classification and pending determination as to the advisability of including such lands in a national monument, is hereby revoked so far as it affects the following-described lands:

#### SAN BERNARDINO MERIDIAN

T. 1 S., R. 4 E., Secs. 21, 22, and 27;

Sec. 31, lots 1, 2, 3, and 4, SE¼NE¼, W½NE¼, E½NW¼, and E½SE¼; Sec. 32.

T. 3 S., R. 6 E.

Sec. 6, lots 6 and 7, E1/2SW1/4, and SE1/4.

The areas described aggregate 3,330.55 acres. including 2,930.55 acres of public land and 400 acres of non-public land.

This order shall not otherwise become effective to change the status of these lands until 10:00 a.m. on the 63d day from the date on which it is signed. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) For a period of 90 days, commencing on the day and at the hour named above, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U.S.C. sec. 682a), by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747. 43 U.S.C. sec. 282), subject to the requirements of applicable law, and (2) application under any applicable public land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) For a period of 20 days immediately prior to the beginning of such 90day period, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on the first day of the 90-day period, shall be treated as simultaneously filed.

(c) Commencing at 10:00 a.m. on the 91st day after the lands become subject to application, as hereinabove provided, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public land laws.

(d) Application by the general public may be presented during the 20-day period immediately preceding such 91st day, and all such applications, together with those presented at 10:00 a. m. on that day, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office at Los Angeles, California, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular 324, May 22, 1914, 43 L. D. 254), and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Subchapter I of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938 shall be governed by the regulations contained in parts 232 and 257, respectively, of that title.

Abe Fortas, Acting Secretary of the Interior. July 25, 1945.

[F. R. Doc. 45-14253; Filed, Aug. 2, 1945; 4:37 p. m.]

#### TITLE 46-SHIPPING

Chapter III—War Shipping Administration [Gen. Order 6, Rev., Supp. 11]

PART 305-INSURANCE

#### CARGO INSURANCE

Effective as of the date of the publication of this Supplement in the Federal Register, Subpart A—Cargo Insurance, of General Order 6, Revised, is amended as follows:

1. By striking out paragraph (e) from § 305.2 Submission of Risks.

2. By striking out the following words from § 305.16 Form of Cargo War Risk Binder:

Standard Optional Endorsement No. 1 (amended) is desired; Insert ("yes" or "no") in space

- 3. By amending Clauses 1, 3 (c), 4, 5, and 8 of § 305.22 Form of Facultative Policy to read respectively as follows:
- 1. (a) This insurance is only against the risks of capture, seizure, destruction or damage by men of war, piracy, takings at sea, arrests, restraints and detainments and other warlike operations and acts of kings, princes and peoples in prosecution of hostilities or in the application of sanctions under international agreements, whether before or after declaration of war and whether by a belligerent or otherwise, including factions engaged in civil war, revolution, rebellion or insurrection, or civil strife arising therefrom, and including the risks of aerial bombardment, floating or stationary mines and stray or derelict torpedoes; but excluding claims for delay, deterioration and/or loss of market,

and warranted not to abandon (on any ground other than physical damage to chip or cargo) until after condemnation of the property insured. Also warranted not to abandon in case of blockade, and free from any claims for loss or expense in consequence of blockade or of any attempt to evade blockade; but in the event of blockade, to be at liberty to proceed to an open port and there end the voyage.

(b) No claim shall be payable hereunder which arises from collision, contact with any fixed or floating object (other than a mine or torpedo), stranding, heavy weather or fire unless caused directly (and independently of the nature of the voyage or service which the vessel concerned or, in the case of a collision, any other vessel involved therein, is performing) by a hostile act by or against a beiligerent power; and for the purpose of this paragraph "power" includes any authority maintaining navel, military or air forces in association with a power.

3. (c) Capture, selzure, arrest, restraint, detainment or condemnation by the Government of the United States or by any of its Allies.

4. This insurance attaches only as the goods are first loaded on lighter, craft or vessel after leaving the warehouse at point of shipment in transit for the destination named in the Policy, and ceases to attach as the goods are finally landed from the vessel, craft or lighter at the final port or place of discharge.

This insurance includes transshipment and intermediate overland transit, if any. If the voyage is terminated and the interest insured is discharged at a port or place other than the intended port of discharge, through circumstances beyond the control of the Assured, this insurance shall continue until the interest insured is sold and delivered at such port or place; or if the interest be not sold but forwarded by water to the port of destination or to a substituted destination, this insurance shall continue until the interest is landed at the original or substituted destination.

This a condition of this incurance that the Assured shall act with reaconable dispatch in all circumstances within their control.

5. Subject to any conditions or warrantics which may be endorsed hereon, it is agreed that this insurance shall not be vitlated by deviation, over-carriage, change of voyage, or by any error or unintentional omirzion in the description of interest, vessel or voyage, provided the same be communicated to the War Shipping Administration as coon as known to the Assured and an additional premium paid if required.

8. Notwithstanding anything to the contrary contained in this Policy, it is understood and agreed that no claim for freight, storage, or other expense due to the requisition or commandeering of the title or ups of any vessel by or with the consent of the country whose flag she files shall be payable under this insurance, provided that if as a result of such requisition or commandeering the insured cargo is discharged at a port or place other than the port or place of destination, the port or place of discharged shall be deemed a "port or place other than the intended port of discharge" within the meaning of Claucs 4 of this Policy.

4. Section 305.24 Standard Optional Endorsement No. XVI is hereby revoked. (E.O. 9054, 3 CFR Cum. Supp.; 54 Stat. 689, as amended)

E. S. LAND, Administrator.

AUGUST 2, 1945.

[F. R. Doc. 45-14353; Filed, Aug. 3, 1945; 11:55 a.m.]

# TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 337]

PART 95-CAR SERVICE

PERMIT REQUIRED FOR SHIPPIENTS OF ORANGES AND LEMONS FROM ARIZONA OR CALIFORNIA

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 1st day of August, A. D. 1945.

It appearing, that the Secretary of Agriculture on October 3, 1942, issued Marketing Order No. 66 (7 F.R. 8576), regulating the handling and shipment of oranges grown in the States of California or Arizona, and on April 10, 1941, issued Marketing Order No. 53 (6 F.R. 1833) regulating the handling and shipment of lemons grown in the States of California or Arizona, pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et. seq.);

And it further appearing, that the movement of such oranges and lemons under permits is necessary to prevent congestion of traffic and a shortage of equipment; the Commission is of opinion an emergency requiring immediate action exists in Arizona and California, in order to best promote the service in the interest of the public and the commerce of the people: It is ordered, that:

(a) Oranges and lemons from Arizona and California not to be trasported without a permit. No common carrier by railroad subject to the Interstate Commerce Act shall furnish a car for loading with, or accept for transportation or move a car loaded with, oranges or lemons, in carload or less-than-carload quantities, from any origin in the States of Arizona or California destined to interstate or Canadian points, except upon presentation by the shipper to the carrier of a permit issued by the Director of Marketing Services, U.S. Department of Agriculture, or his authorized agent, as provided for in Marketing Order No. 66 (7 F. R. 8576) or Marketing Order No. 53 (6 F.R. 1833).

(b) Effective date. This order shall become effective at 12:01 a.m., August 6, 1945.

(c) Expiration date. This order shall expire at 11:59 p. m., October 14, 1945, unless otherwise modified, changed, suspanded, or annulled by order of the Commission (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)—(17))

It is further ordered, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement uncer the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with

the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL, Secretary.

[F. R. Doc. 45-14353; Filed, Aug. 3, 1945; 11:49 a. m.1

# Notices

DEPARTMENT OF THE INTERIOR. Solid Fuels Administration for War.

[SFAW Suspension Order 4, Revocation]

PHILIPS-THOMPSON Co.

SUSPENSION OF OPERATIONS WITH RESPECT TO ANTHRACITE

On June 9, 1945, SFAW Suspension Order 4 was issued to prohibit Clayton M. Liddell, a retail dealer in Wilmington, Delaware, doing business as The Philips-Thompson Co., from distributing the regulated sizes of anthracite. Subsequently, Mr. Liddell requested and was given permission to demonstrate that, although he had violated SFAW Regulation No. 17, as amended, by delivering regulated sizes of anthracite to consumers during the 1944-45 coal year without first obtaining Consumer Declarations from them, he had not delivered anthracite during the year in amounts in excess of those permitted to be delivered by Regulation No. 17. On July 31, 1945, Liddell submitted information indicating that during the 1944-1945 coal year he had distributed anthracite equitably among his customers in accordance with those provisions of SFWA Regulation No. 17, as amended, which prescribed the maximum amounts of anthracite to be delivered. Liddell has stated in an affidavit that he will comply during the balance of this coal year with the provisions of SFAW Regulation No. 26, as amended.

In light of the foregoing, It is ordered, That SFAW Suspension Order 4 be, and

it hereby is, revoked.

This order shall become effective immediately.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 176 and 58 Stat. 827)

Issued this 2d day of August 1945.

C. J. POTTER, Deputy Solid Fuels Administrator for War.

[F. R. Doc. 45-14299; Filed, Aug. 3, 1945; 11:33 a. m.]

# CIVIL AERONAUTICS BOARD.

[Docket No. 1967]

TRANS-MARINE AIRLINES, INC. NOTICE OF FURTHER HEARING

In the matter of the investigation of certain activities of Trans-Marine Air- • lines. Inc.

The hearing in the above-entitled proceeding having been adjourned July 27, 1945, is now assigned for resumption on August 13, 1945, at 10:00 a.m. (Eastern war time) in the Hotel New Yorker, New York City, New York.

Dated: Washington, D. C., August 1, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS, Secretary.

[F. R. Doc. 45-14270; Filed, Aug. 3, 1945; 10:47 a. m.]

FEDERAL COMMUNICATIONS COM-MISSION.

[Docket No. 6772]

KID BROADCASTING CO.

NOTICE OF HEARING

In re application of KID Broadcasting Company (KID) (assignor), Idaho Radio Corporation (assignee), Falls, Idaho; date filed, April 19, 1945; for, voluntary assignment of license; class of service, broadcast; class of station, broadcast; location, Idaho Falls, Idaho; operating assignment specified: frequency, 1350 kc; power, 500 w night, 5 kw day; hours of operation, unlimited.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing for the following reasons:

1. To obtain full information with reference to the qualifications of the proposed assignee.

2. To obtain full information with reference to the identity, citizenship, inter-

stockholders of the proposed assignee. 3. To obtain full information with respect to the arrangements for the purchase of KID by Idaho Radio Corporation, including the consideration therefor, the facilities and properties both

ests and qualifications of the officials and

tangible and intangible being sold. 4. To determine whether in the light of the evidence adduced on the foregoing issues, public interest would be served by granting the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant herein who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

The applicants' addresses are as follows:

KID Broadcasting Co., Radio Station KID,

P. O. Box 219, Idaho Falls, Idaho. Idaho Radio Corporation, Park Avenue & C Street, Idaho Falls, Idaho.

Dated at Washington, D. C., July 31, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 45-14357; Filed, Aug. 3, 1945; 11:53 a. m.]

INTERSTATE COMMERCE COMMIS-SION.

[S. O. 342]

Unloading of Hay at Portland, Oreg.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 2d

day of August, A. D. 1945. It appearing, that car GN 7534, containing hay at Portland, Oregon, on the Spokane, Portland and Seattle Railway Company, has been on hand for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Hay at Portland, Oregon, be unloaded.
(a) The Spokane, Portland and Seattle Railway Company, its agents or employees, shall unload forthwith car GN 7534. containing hay on hand at Portland, Oregon, consigned to Boehi Seed Com-

pany, Portland, Oregon.

(b) Said carrier shall notify the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., when such carload has been completely unloaded in compliance with the requirements of paragraph (a). Upon receipt of such notice this order shall expire. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Spokane, Portland and Seattle Railway Company, and upon the Association of American Railroads, Car Service Division, as agent of the Railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL, Secretarı.

[F. R. Doc. 45-14354; Filed, Aug. 8, 1945; 11:49 a. m.]

OFFICE OF ALIEN PROPERTY CUS-TODIAN.

[Vesting Order 5070]

COPYRIGHT INTERESTS OF M. P. BELAIEFF

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation;

1. Finding that M. P. Belaieff, a resident of Leipzig, Germany, is a national of a for-

eign country (Germany);

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and the several States thereof, of the aforesaid M. P. Belaieff of Leipzig, Germany, in, to and under the following:

(a) Every copyright, claim of copyright and right to copyright, in each and all of the works designated in Exhibit A,1 which exhibit is attached hereto and hereby made

a part hereof:

(b) Every copyright, claim of copyright and right to copyright in each and all of the works subject to copyright, in which such rights and claims are held by the aforesaid M. P. Belaieff whether or not such works are specifically designated in this order;

(c) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing:

(d) All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

(e) All rights of reversion or revesting, if any, in any or all of the foregoing;

(f) All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing; (g) All right, title or interest in any paper

or other copies of the works described in the

foregoing:

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, a na-

tional of a foreign country;
3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise;

4. Deeming it necessary in the national interest:

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States: Provided, however, That this order shall not vest any right of any person to renew any copyright in any or all of the works above described.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such

return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of

said Executive order.

Executed at Washington, D. C., on July 3, 1945.

[SEAL] FRANCIS J. MCNAMARA. Deputy Alien Property Custodian.

[F. R. Doc. 45-14260; Filed Aug. 3, 1945; 10:58 a. m.[

COPYRIGHTS INTERESTS OF M. P. BELAIEFF

Vesting Order No. 5070, executed by the Alien Property Custodian July 3, 1945, was filed with the Copyright Office on July 12, 1945 and with the Division of the Federal Register. The vesting order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests attached hereto, all as more particularly set forth in the said vesting order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The German national whose interests are vested and the names of the works involved (together with the author of the work or other appropriate identification in certain cases), are listed below:

M. P. Belaieff: Deuxieme Trio, Op. 123 (Gretchaninoff, composer: Associated Music

Publishers, Inc., registered copyright owner).

—; Twelf Russian Fairy Tales (Hartmann, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Mlada, Blasorchester (Stoves) (Rimsky-Korssakow, composer; Associated Music Publishers Inc., registered copyright owner).

Publishers, Inc., registered copyright owner).

; Morceaux Favoris (Tcherepnine, composer; Associated Music Publishers, Inc., registered copyright owner).

—; Sept. Etudes pour Plano (Tcherep-nine, composer; Associated Music Publishers, Inc., registered copyright owner).

; Suite for Horn Quartett (Philipp) (Tcherepnine, composer; Accoclated Music Publishers, Inc., registered copyright owner).

It is hereby certified that the foregoing list is a true summary of the contents of the exhibit attached to and forming a part of Vesting Order No. 5070, filed with the Februar Registen.

JOHN W. WATSON, Assistant Secretary for Records.

[F. R. Doc. 45-14259; Filed, Aug. 3, 1945; 10:58 a. m.]

[Vesting Order 5032]

COPYRIGHT INTERESTS OF CERTAIN GERMAN AND AUSTRIAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each person whose name, nationality, and last known address where established, is listed at the top of each page of Exhibit A attached hereto and by reference made a part hereof, if an individual is a resident or citizen of, or if a business or-ganization is organized under the laws of, and holds the nationality designated after

the name of such person;

2. Finding that the persons listed in said Exhibit A¹ jointly or severally own or control the property hereinafter described in

subparagraph 3;

3. Determining that the property described as follows:

a. Alb right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the geveral States thereof, of each percon whose name, nationality, and last known address, where established, is designated at the top of each page of said Ex-

hibit A in, to and under the following:

1. Every copyright, claim of copyright and right to copyright, or rights related thereto, in each and all of the works described in each page of said Exhibit A under the name of

such person;

2. Every licence, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing; excepting the rights of any person to renew any or all of the copyrights arising in, from or under any or all of the foregoing;

3. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising purquant to law, contract or otherwise, with respect to any or all of the foregoing;

4. All rights of reversion on revesting, if my, in any or all of the foregoing;
5. All causes of action accrued or to accrue

at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property of, or is property payable or held with respect to copyrights or rights related thereto, in which interests are held by and such property itself constitutes interests held therein by, nationals of one or more foreign countries.

4. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

5. Deeming it necessary in the national interest:

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 3, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien

Filed as part of the original document.

Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 10, 1945.

[SEAL] Francis J. McNamara, Deputy Alien Property Custodian.

[F. R. Doc. 45-14262; Filed, Aug. 3, 1945; 10:38 a.m.]

COPYRIGHT INTERESTS OF CERTAIN GER-MAN AND AUSTRIAN NATIONALS

Vesting Order No. 5082, executed by the Alien Property Custodian July 10, 1945, was filed with the Copyright Office on July 13, 1945 and with the Division of the Federal Register. The vesting order vests in the Alien Property Custodian certain copyrights, copyright applications and rights relating thereto or interests attached hereto, all as more particularly set forth in the said vesting order which is available for public inspection at the Copyright Office, Library of Congress, at the Division of the Federal Register, and at the Office of the Secretary, Office of Alien Property Custodian. The German and Austrian nationals whose interests are vested and the names of the works involved (together with the authors of the works or other appropriate identification in certain cases), are listed below:

E. Wolf-Ferrari; The Jewels of the Madonna (E. Wolf-Ferrari, composer; G. Schirmer, Inc.,

registered copyright owner)

—; The Inquisitive Women (Wolf-Ferrari, composer; Luigi Sugana, author; G. Schirmer, Inc., registered copyright owner)
—; The Secret of Suzanne (Wolf-Ferrari,

composer; Max Kalbeck, author; G. Schirmer,

Inc., registered copyright owner)

—; The Love Cure (Edmund Eysler, composer; Oliver Herford, translator; G. Schirmer, Inc., registered copyright owner)
Felix Bloch Erben; Karl und Anna (Leonard

Felix Bloch Erben; Karl und Anna (Leonard Frank, author; Felix Bloch Erben, registered copyright owner) (play) Ullstein; Karl and Anna (book) (Leonhard

Ullstein; Karl and Anna (book) (Leonhard Frank, author; Ullstein, registered copyright owner)

Richard Strauss; Arladne Auf Naxos (Richard Strauss, composer; Hugo von Hofmannsthal, author; Boosey & Hawkes, Ltd., registered copyright owner)

—; Frau Ohne Schatten (Richard

—; Frau Ohne Schatten (Richard Strauss, composer; Boosey & Hawkes, registered copyright owner)

· —; Intermezzo (Richard Strauss, composer; Boosey & Hawkes, Ltd., registered copyright owner)

Felizian Rauch; Summa Theologiae Moralis (A. Schmitt, S. J., author; not copyrighted in the United States)

It is hereby certified that the foregoing list is a true summary of the contents of the exhibit attached to and forming a part of Vesting Order No. 5082, filed with the Federal Register.

[SEAL] JOHN W. WATSON,
Assistant Secretary for Records.

[F. R. Doc. 45-14261; Filed, Aug. 3, 1945; 10:58 a.m.]

OFFICE OF ECONOMIC STABILIZATION.

WENTWORTH BUS LINES, INC., AND AMAL-GAMATED ASSOC. OF STREET, ELECTRIC RAILWAY AND MOTOR COACH EMPLOYEES OF AMERICA

DIRECTIVE TO OFFICE OF DEFENSE TRANS-PORTATION AND OFFICE OF PRICE ADMIN-ISTRATION

In the matter of: Wentworth Bus Lines, Inc. Dover, New Hampshire and Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America, Local 1340, AFL. WLB Case No. 111-4667-D.

It appearing that the Company has filed a petition with the National Labor Relations Board seeking withdrawal and cancellation of the order of the National Labor Relations Board designating Division 1340, Amalgamated Association of Street, Electric Railway and Motor Coach Employees of America as the exclusive bargaining representative of the bus drivers and mechanics of the company, and it further appearing that the National Labor Relations Board, by order of August 1, 1945 has directed that a hearing should be held with respect to the matters raised by the petition;

Therefore, by virtue of and pursuant to the authority vested in me by Executive Order 9370, I hereby direct:

1. That the effective date of the cancellation order issued by the Office of Defense Transportation in this case under date of June 26, 1945 (10 F. R. 7945), be postponed to October 1, 1945.

2. That the effective date of Cancellation Order No. 1, under General Ration Order No. 8, issued by the Office of Price Administration in this case under date of June 30, 1945 (10 F.R. 8163), be postponed to October 1, 1945.

(E.O. 9370, Aug. 16, 1943, 8 F.R. 11463)

Issued this 3d day of August 1945.

Thomas I. Emerson,
Acting Economic
Stabilization Director.

[F. R. Doc. 45-14356; Filed, Aug. 3, 1945; 11:50 a.m.]

WAR MANPOWER COMMISSION.

RUSH, FAYETTE AND FRANKLIN COUNTIES, IND.

MINIMUM WARTIME WORKWEEK

The designation of the counties of Rush, Fayette and Franklin in the State of Indiana (9 F.R. 2066) as subject to the provisions of Executive Order No. 9301 is hereby revoked, effective July 2, 1945.

Dated: June 30, 1945.

W. H. SPENCER, Regional Director.

[F. R. Doc. 45-14293; Filed, Aug. 3, 1945; 11:21 a. m.]

Door County, Ahnapee, Lincoln and Red River, Wis.

#### MINIMUM WARTIME WORKWEEK

The designation of Door county and the towns of Ahnapee, Lincoln and Red River in Kewaunee County in the State of Wisconsin (9 F.R. 4522), as subject to the provisions of Executive Order No. 9301 is hereby revoked, effective July 16, 1945.

Dated: July 14, 1945.

W. H. SPENCER, Regional Director.

[F.-R. Doc. 45-14294; Filed, Aug. 3, 1945; 11:21 a. m.]

CALUMET AND MANITOWOC, WIS., AREA MINIMUM WARTIME WORKWEEK

The designation of the Manitowoc, Wisconsin, labor market area, including the counties of Calumet and Manitowoc, (10 F.R. 6635) as subject to the provisions of Executive Order No. 9301 is hereby revoked, effective July 16, 1945.

Dated: July 14, 1945.

W. H. Spencer, Regional Director.

[F. R. Doc. 45-14295; Filed, Aug. 3, 1945; 11:21 a. m.]

# ELKHART COUNTY, IND.

# MINIMUM WARTIME WORKWEEK

The designation of Elkhart county in the State of Indiana (9 F.R. 2064) as subject to the provisions of Executive Order No. 9301 is hereby reyoked, effective July 1, 1945.

Dated: June 30, 1945.

W. H. SPENCER, Regional Director.

[F. R. Doc. 45-14296; Filed, Aug. 3, 1945; 11:21 a. m.]

MARSHALL AND ST. JOSEPH COUNTIES, IND.
MINIMUM WARTIME WORKWEEK

The designation of the counties of Marshall and St. Joseph in the State of Indiana (9 F.R. 4522) as subject to the provisions of Executive Order No. 9301 is hereby revoked, effective July 1, 1945.

Dated: June 30, 1945.

W. H. SPENCER. Regional Director.

[F. R. Doc. 45-14297; Filed, Aug. 3, 1945; 11:21 a. m.]

#### WAYNE COUNTY, IND.

# MINITIUM WARTIME WORKWEEK

The designation of Wayne county in the State of Indiana (9 F.R. 2065) as subject to the provisions of Executive Order No. 9301 is hereby revoked, effective July 2, 1945.

Dated: June 30, 1945.

W. H. SPENCER, Regional Director.

[F. R. Doc. 45-14298; Filed, Aug. 3, 1945; i1:21 a. m.]

### OFFICE OF PRICE ADMINISTRATION.

[Gen. Order 65]

DISTRIBUTION YARD SALES OF SOFTWOOD LUMBER

AUTHORITY TO FIX COMMUNITY DOLLARS-AND-CENTS CEILING PRICES

An opinion accompanying this order has been issued herewith.

Pursuant to the authority vested in

the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, It is hereby ordered:

1. Authority to fix dollars-and-cents ceiling prices for the Chicago Area. (a) The Regional Administrator of the Office of Price Administration for Region VI may, by order, fix area dollars-and-cents ceiling prices for sales and deliveries of lumber out of the stock of any lumber distribution yard located in the Chicago area for which maximum prices are presently established under 2d Revised Maximum Price Regulation 215. No person may sell or deliver and no person may buy or receive lumber out of the stock of any lumber distribution yard located in that area at prices higher than the dollars-and-cents ceiling prices fixed by any order issued pursuant to the authority contained in this section.

Any order issued or action taken by the Regional Administrator in accordance with this order shall have the same force and effect as if issued or taken by the Administrator.

(b) The dollars-and-cents prices established by the Regional Administrator's order shall be generally in line with the levels of prices in effect under 2d Revised Maximum Price Regulation 215.

(c) The Regional Administrator may include in any order issued hereunder provisions for posting price lists, for keeping of records and for making reports.

(d) The Regional Administrator of the Office of Price Administration for Region VI is authorized to modify or revoke at any time any order issued pur-

suant to this section. Within thirty days from the date of the issuance of any regulation, order, or amendment of a regulation, which results in a significant change in the prices established under 2d Revised Maximum Price Regulation 215 the Regional Administrator shall amend or modify any order issued pursuant to this section to the extent necessary to provide that the prices established by such order shall continue to conform to the provisions of paragraph (b) of this section.

2. Provisions of 2d Revised Maximum Price Regulation 215 apply to all sales except where dollars-and-cents ceilings are established. (a) The maximum prices for any sale of lumber as presently established under 2d Revised Maximum Price Regulation 215 shall continue in full force and effect except on sales of lumber for which dollars-and-cents maximum prices may be established by the Regional Administrator's order.

(b) Except as expressly modified by any order of the Regional Administrator all provisions of 2d Revised Maximum Price Regulation 215 shall continue to apply to all sales covered by such order.

3. Sales covered by this order. The dollars-and-cents prices established by the Regional Administrator's order shall govern the maximum prices which may be charged by any distribution yard for sales or deliveries of lumber out of distribution yard stock located in the Chicago area for delivery anywhere.

4. Enforcement. On and after the effective date of this Order and of any order issued hereunder, any person who sells or offers to sell lumber out of distribution yard stock at a price higher than the ceiling price fixed by such orders, or who otherwise violates any provisions of such orders shall be subject to the criminal penalties, suits for treble damages, license suspension proceedings and any other civil enforcement actions provided for by the Emergency Price Control Act of 1942, as amended. Any person who, in the course of trade or business, buys at a price higher than the ceiling prices fixed by such orders is also subject to the criminal penalties and civil enforcement actions provided for by that Act.

5. Definitions. (a) Unless the context requires otherwise, the terms used in this order shall have the same meaning given them in 2d Revised Maximum Price Regulation 215.

(b) As used in this order the phrase, "Chicago area", shall mean such area immediately surrounding and including the City of Chicago, Illinois, as shall be designated in the Regional Administrator's order.

This order shall become effective August 4, 1945.

Issued this 3d day of August 1945.

. JAMES F. BROWNLEE. Acting Administrator.

[F. R. Doc. 45-14302; Filed, Aug. 3, 1945; 11:37 a. m.]

[MPR 260, Order 1705] ISIDEO CORDEEO

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Isidro Cordero, Ave. H ostos Stop 111/2 Ponce, P. R. thereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Paok- ing	Maxi- mum list price	Maxi- mum rctail price
Icidro Cerdero	Perfecto	50	Per M \$36	Cents 7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic clgars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maxinum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing granted. differentials customarily charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum refail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1353.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 2, 1945.

Issued this 1st day of August 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-14199; Filed, Aug. 1, 1945; 4:09 p. m.]

# [MPR 260, Order 1706] BALTAZAR FONSECA

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to \$1353.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Baltazar Fonseca, Luis Barreras, Cayey, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Baltazar Fonseca	Perfecto Media Corona Brebita	50 50 50	Per M \$93.75 75.00 44.00	Cents 2 for 25 10 2 for 11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Pack, ing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof,

grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his. most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 2, 1945.

Issued this 1st day of August 1945.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 45-14200; Filed, Aug. 1, 1945; 4:10 p. m.]

# [MPR 260, Order 1707] WILLIAM R. REICHARD

# AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) William R. Reichard, 33 Boundary Ave., Red Lion, Pa. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Maxi- mum retail price
Reichard's-Hand Made.	Diplomats	50	Per M \$72	Cents 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March

1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 2, 1945.

Issued this 1st day of August 1945.

James F. Brownlee, Acting Administrator.

[F. R. Doc. 45-14201; Filed, Aug. 1, 1945; 4:10 p. m.]

# [MPR 260, Order 1708] MARIA ISABEL COLON

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Maria Isabel Colon, Calle Ermita, Coamo, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth be-

Brand	Size or frontmark	Pack- ing	Maxi- mum list price	Moxi- mum retail price
Maria Isabel Colon.	Corona Tubano	50 50	Per M \$48 32	Cents 8 4

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size cr frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 2, 1945.

Issued this 1st day of August 1945.

James F. Brownlee, Acting Administrator.

[F. R. Doc. 45-14202; Filed, Aug. 1, 1945; 4:10 p. m.]

No. 155----5

#### [MPR 260, Order 1703]

#### LEOPOLDO PEREZ

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Leopoldo Perez, Concordia 66 Oeste, Guayama, P. R. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Bmnd	Sizo er frentmark	Pock- ing	Lucs Ins mam Worl-	Mazi- mum retail miss
Leopoldo Percz	Panetelas	£9 ·	Per M \$44	Cents 2fcr11

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or nmended by the Price Administrator at

any time.

This order shall become effective August 2, 1945.

Issued this 1st day of August 1945.

James F. Brownlee, Acting Administrator.

[F. R. Doc. 45-14203; Filed, Aug. 1, 1945; 4:10 p. m.]

# [Rev. S. O. 93, Order 9] Russell Mfg. Co.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to Revised Supplementary Order 99 and § 1372,101 (c) of Maximum Price

Regulation 210, it is ordered:

(a) Ceiling prices for sales by The Russell Manufacturing Company. (1) On and after August 1, 1945, The Russell Manufacturing Company, Alexander City, Alabama, may sell and deliver, and any person may buy and receive from it, the following designated fall and winter knitted underwear manufactured by The Russell Manufacturing Company, at prices not in excess of the following adjusted ceiling prices:

justed ceiling prices: Adjusted ceiling Style and description price (per dozen) 178P, Boy's union suit, made of 14/1 carded yarn, net weight 8 pounds per dezen (based on size 34), sizes 24-24, 1 x 1 ribbed knit, peeler, closed choulder, cuffs\_\_\_\_\_ \$6.23 175EW, Boy's union suit, made of 16/1 carded yarn, net weight W. 6.60 7.7, E. 8 pounds per dozen (based on size 34), sizes 24-34, 1 x 1 ribbed ccru, dyed, closed shoulder, cuffs\_ 184EW, Eoy's union sult, made of 6.65 13/1 carded yarn, net weight W. 8.6, E. 9 pounds per dozen (based on size 34), size: 24-34, I x 1 ribbed ceru, dyed, closed shoulder, cuffs\_ 7.18 109EW, Boy's union suit, made of 13/1 carded yarn, net weight W. 9 6, E. 10 pounds per dozen (based on size 34), sizes 24-34, 1 x 1 ribbed linit ccru-military shoulders, 7.53 cuffg\_ 175P, Boy's union suit, made of 16/1 carded yarn, net weight 7½ paunds per dozen (based on size 34), sizes 24-34, 1 x 1 ribbed knit, pealer, closed choulder, cuffs\_\_\_\_\_ 6.23 194P, Boys' union suit, made of 13/1 carded yarn, net weight 9 pounds per dozen (based on size 34), sizes 6.76 carded yarn, net weight 10 pounds per dozen (based on size 34), sizes 24-34, 1 x 1 ribbed stitch, peeler,

7.67

military shoulder\_\_\_\_\_

<sup>&</sup>lt;sup>1</sup> 10 F.R. 6793.

160P, Boys' Peeler union suit, made of 18/1 carded yarn, net weight 6½ pounds per dozen (based on size 34). sizes 24-34, not military	dozen)
suits, made of 26/1, 9/1, 13/1 carded yarn, net weight 14 pounds per dozen (based on size 42), 34-46, military shoulder, cuffs, natural color	•
carded yarn, net weight 14 pounds per dozen (based on size 42), 34-46, military shoulder, cuffs, natural color	•
per dozen (based on size 42), 34-46, military shoulder, cuffs, natural color	•
union suit, made of 26/1, 7/1, 13/1 carded yarn, net weight 16 pounds per dozen (based on size 42), sizes 34-46, military shoulder, cuffs, random dyed	•
union suit, made of 26/1, 7/1, 13/1 carded yarn, net weight 16 pounds per dozen (based on size 42), sizes 34-46, military shoulder, cuffs, random dyed	•
union suit, made of 26/1, 7/1, 13/1 carded yarn, net weight 16 pounds per dozen (based on size 42), sizes 34-46, military shoulder, cuffs, random dyed	•
per dozen (based on size 42), sizes 34-46, military shoulder, cuffs, random dyed	12. 81
34-46, military shoulder, cuffs, random dyed	12. 81
of 18/1 carded yarn, net weight 6½ pounds per dozen (based on size 34), sizes 24-34, not military shoulder, 1 x 1 ribbed stitch145P, Men's Peeler union suit, made	12. 81
of 18/1 carded yarn, net weight 6½ pounds per dozen (based on size 34), sizes 24-34, not military shoulder, 1 x 1 ribbed stitch145P, Men's Peeler union suit, made	
shoulder, 1 x 1 ribbed stitch 145P, Men's Peeler union suit, made	
shoulder, 1 x 1 ribbed stitch 145P, Men's Peeler union suit, made	
145P, Men's Peeler union suit, made	.5. 57
of 13/1 carded varn, net weight 14	
pounds per dozen (based on size	
42), sizes 36-46, 1 x 1 ribbed cot-	
ton	10.031/2
union suits, made of 26/1, 7/1,	
1615 (Peeler), Men's fleeced lined union suits, made of 26/1, 7/1, 13/1 carded yarn, net weight 16 pounds per dozen, (based on size	-
42), sizes 36–46, military shoulder,	
cuffs natural color	12.601/2
145EW, Men's 1 x 1 ribbed cotton, union suit, made of 12/1 carded yarn, net weight W. 13½, E 14 pounds per-dozen (based on size	
yarn, net weight W. 13½, E 14	
pounds per-dozen (based on size	
42), sizes 36-46 105P, Men's 1 x 1 ribbed, peeler union	10.67
suit, made of 17/1 carded yarn, net	
, weight 10 pounds per dozen (based	_
on size 42), sizes 36-46	8. 29
165EW, Men's union suit, made of 10/1 carded yarn, net weight W.	
15.4, E. 16 pounds per dozen (based	
on size 42), sizes 36-46, ecru 1 x 1	
ribbed stitch165PR, Men's peeler, random union	11. 53
suit, made of 11/1 carded varn.	
net weight 16 pounds per dozen	
(based on size 42), sizes 36-46, 1 x 1 ribbed stitch	11 17
145PR, Men's 1 x 1 ribbed, union suit,	*** **
peeler random, made of 13/1	
carded yarn, net weight 14 pounds	
per dozen (based on size 42), sizes 36-46	10.35
165P, Men's peeler union suit, made	
of 11/1 carded yarn, net weight 16	
pounds per dozen (based on size 42), sizes 36-46, 1 x 1 ribbed stitch_	10.81
105EW, Men's 1 x 1 cotton ribbed	10.01
union suit, made of 16/1 carded	-
yarn, net weight, W. 9.6, E. 10	
pounds per dozen (based on size 42), sizes 36-46	8.73
105PR. Men's heavy weight union	
suit, made of 17/1 carded yarn,	
net weight 10 pounds per dozen (based on size 42), sizes 36-46,	,
dyed, 1 x 1 ribbed stitch	8, 48
125EW, Men's union suit, made of	
13/1 carded yarn, net weight, W. 11.6, E. 12 pounds per dozen (based	
on size 42), sizes 36-46, 1 x 1	
ribbed stitch	9.65
125PR, Men's peeler random union	
suit, made of 14/1 carded yarn, gross weight 13 pounds per dozen	
(based on size 42), sizes 36-46, 1 x	
1 ribbed stitch	9.40
125P, Men's peeler union suit, made of 14/1 carded yarn, net weight	
12 pounds per dozen (based on size.	
12 pounds per dozen (based on size- 42), sizes 36-46, 1 x 1 ribbed stitch	9. 13

Adjusted ceiling
Style and description price (per dozen)
1612P, Men's fleeced lined union
suit. made of 30/1, 9/1, 13/1
carded varn, net weight 12 pounds
per dozen (based on size 42), sizes
36-46, military shoulder, cuffs,
natural color\$10.44
1613 (Random), Men's fleeced lined
union suit, made of 26/1, 9/1, 13/1
carded yarn, net weight 14 pounds
per dozen (based on size 42), sizes
36-46, military shoulder, cuffs,
random 11.70
1612R. Men's fleeced lined union
suit, made of 30/1, 9/1, 13/1 carded
yarn, net weight 12 pounds per
dozen (based on size 42), sizes
36-46, military shoulder, cuffs,
random

(2) The adjusted ceiling prices set forth in paragraph (a) above are subject to all trade practices, including practices relating to credit terms, shipping and the payment of shipping charges and premiums for extra sizes, customarily used by The Russell Manufacturing Company during the period from July 15, 1941 to February 10, 1942, both-inclusive, on deliveries of comparable types of fall and winter knitted underwear.

(b) Ceiling prices for sales at wholesale. (1) On and after August 1, 1945, the ceiling price for a sale at wholesale of any of the garments enumerated in paragraph (a) of this order, shipped to the seller by The Russell Manufacturing Company on or after that date shall be determined in the following manner:

(i) The wholesaler shall first find his "cost base" for the garment being priced from the following table:

Co	ost base
Style No. (pe	r dozen)
178P	85.75
175EW	5.75
178EW	6.00
194EW	6.50
109EW	6.871/2
175P	5, 50
194P	6.25
109P	6.621/2
1613P	10.25
1615 (Random)	11.621/2
160P	5. 121/2
145P	8.871/2
1615 (Peeler)	11.50
145EW	9.25
105P	7.621/2
165EW	10.00
165PR	9.75
145PR	9.00
165P	9.621/2
105EW	8.00
105PR	7.75
125EW	8.50
125PR	8.25
125P	8. 121/2
1612P	9.371/2
1613 (Random)	10.371/2
1612R	9.50

(ii) The wholesaler will then apply to the "cost base" for the garment being priced his "initial percentage markup" determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b) of Maximum Price Regulation 210 (Retail and Wholesale Prices for Fall and Winter Seasonal Commodities).

(iii) The wholesaler will then add to the amount found in (ii), immediately above, the sum specified below for the style of garment being priced. The resulting figure is the wholesaler's new celling price for the garment being priced.

	adjustment
	(per dozen)
178P	¢0.40
175EW	
178EW	
194EW	
109EW	
175P	
194P	40
109P	
1613P	
1615 (Random)	
160P	
145P	
1615 (Peeler)	
145EW	
105P	
165EW	
165PR	
145PR	
165P	
105EW	
105PR	
125EW	
125PR	
125P	
1612P	
1613 (Random)	
1612R	84

(2) The ceiling prices established for sales at wholesale in this paragraph are subject to all discounts, allowances, price differentials and other trade practices, including premiums for extra sizes, which the wholesaler used during 1942 on deliveries of comparable types of fall and winter knitted underwear.

(c) Statement which The Russell Manufacturing Company must send to wholesalers. (1) On and after August 1, 1945, The Russell Manufacturing Company shall transmit to each wholesaler to whom it makes delivery, on and after that date, of any of the garments listed in paragraph (a) of this order, the following statement:

Statement to wholesalers of adjusted ceiling prices. The OPA has adjusted our ceiling prices on certain knitted underwear garments pursuant to the provisions of Order No. 9, issued under Revised Supplementary Order 99. In Column A below you will find our adjusted ceiling prices for these garments.

Under this order the OPA has established the method by which you, as a wholesaler, are to determine your ceiling prices for these garments.

You are required by the OPA to determine your ceiling prices for the specified styles by the following method: You first find the "cost base" for the garment being priced from Column B of the following table. You then apply to this "cost base" your "initial porcentage markup" (determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b) of Maximum Price Regulation 210). You then find your new ceiling price by adding to the amount thus determined the amount specified in Column C below for the particular style of garment being priced.

<u> </u>		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Column O	Amount of adjust- mont which wholesoler may add	8 ७ ७ ७ - इन्दर्वेद्ध इस्ट्रेड्ड इस्ट्रेड इस्ट इस्ट्रेड इस्ट्रेड इस्ट्रेड इस्ट्रेड इस्ट्रेड इस्ट्रेड इस्ट्रेड
Column B	"Cost base" to which wholesaler applies "Initial per- contage markup"	ដឹក១១១១១១៩ដីក្នុងឧដ្ឋ១៩១១១១១១១១៩១៩១៩ ភូមិខេត្តទូនមន្ត្រីមន្ត្តទូនមន្ត្រីទូនមន្ត្រីមិន ភូមិខេត្តទូនមន្ត្រីមន្ត្តិ
Column A	Russell's adjusted celling price	ಜಿಂದ್ರಂದ್ಯ. ಪ್ರದರ್ಭದ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಪಂದ ಪ್ರಸ್ತೆ ಪ್ರತಿಕ್ಷಣೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ಟೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ಟೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಕ್ ಪ್ರಕ್ಷ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಸ್ತೆ ಪ್ರಕ್ಷ ಪ್ರಸ್ತೆ ಪ್ರಕ್ಷ ಪ್ರಸ್ತೆ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಸ್ತೆ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರಕ್ಷ ಪ್ರ
	Btyle No.	176 P. 176 W. 176 W. 176 W. 176 P. 100 P. 1010 P. 102 P. 103 P. 104 P. 105 P. 106 P. 107 P. 108 P. 10

refaller to whom you deliver any of the garmentz listed above on or after August 1, 1945, a. "Wholecaler's Estatement to Retailers of OPA Adjustment Charge" in the following form, properly filled in by you with the information applicable to the particular garments being delivered by you to the retailer. You are required to complete this statement as follows: In Column A you chall list the ceiling prices of the particular styles being shipped which were in effect for you under Maximum Price Regulation 210 prior to the date of this order. In Column B you abtail list the new ceiling prices which you determine in accordance with the method included in this statement to you. In Column O you shall list the differences between the amounts in Column A and Column B below for the respective styles. This notice, when properly completed by you, is to be transmitted with or annexed to, the involce, billing every shipment ande by you to your retailer oustomers of the styles shipped to you by us. you are the OPA to transmit to note that,

ornolesaler's statement to retailers of OPA adjustment charge, The Office of Frice Administration, pursuant to Order No. 9, issued under Revised Supplementary. ted under Rovised Supplementary Order has permitted us to adjust our celling ees on the following garments, sold and prices on the following garments, sold and delivered by, us to you on or after August 1,

Column O	Our OP A adjustment charge (difference between old and new celling		
Col	or September of the sep		
Column A Column B	Our now celling prico (per dozen)		
Column A	Our old celling price (por dozen)		
	Style No.	1785 W 1785 W 1785 W 1905 W 1787 W 1787 W 1906 (Random) 1916 (Refer) 1916 (Refer) 1917 R 1677 R 1677 R 1677 R 1677 R 1677 R 1677 R 1677 R 1677 R 1677 R	125P 1612P 1613 (Random)

Pleace note that the OPA has ruled that you must price there garments in accordance with Anximum Price Regulation 580 or Maximum Price Regulation 580 or Maximum Price Regulation 200 (whichover regulation governs your cales of the garments listed above). In determining your ceiling prices for there garments the OPA has ruled that you must use as your "net cost" under MPR, 500 or your "cest base" under MPR, 500 or your "cest base" under MPR, 500 the amount set forth in Column A above. You may not, in any ease, include the amount of the OPA adjustment charge set forth in Column a document of the Celling price for these garments under either of these regulations.

(2) The statement required to be sent by The Russell Manufacturing Company to its wholesalers, as provided in this paragraph (c), and containing the information applicable to the styles of garments included in the particular shipment shift be transmitted with or be annexed to the involce, billing or other statement of pany is permitted an adjustment of its celling price under this order, shall be sent by The Bussell reprice, accompanying every shipment made by The Russell Manufacturing Company of the garments listed in paragraph (a) of this order. This statement, with respect to any garment for which The Russell Manufacturing Com-

(d) Statement which The Russell Manufacturing Company must send to retailers. (1) On and after August 1, 1945, The Russell Manufacturing Company shall transmit to each retailer to whom it makes delivery of any of the garments listed in paragraph (a) of this order, the following statement: quired under § 1389.304 (as amended) of statement Maximum Price Regulation 221

Company

Statement to Retailers of OPA Adjustment Chariges

The Office of Price Administration has permitted us to add the following adjustment charges to our ceffing prices on the garments listed below:

- E-61	70 60 60 60 60 60 60 60 60 60 60 60 60 60
Old ceiling price	ਰੂ ਜ਼ਿਲ੍ਹੇ ਜ਼
Style No.	178P 178P 178EW 178EW 100EW 100EW 1018P 10

price these gaments in accordance with Maximum Price Regulation 160 or Maximum 161 or Maximum 161 or Maximum 162 or Maximum 162 or Maximum Price Regulation 160, or your "cest has amount set forth in the above table as the "old celling price" for the gament being priced and you may not include this as the "old celling price" for the gament being priced and you may not include the above calling price for these gament being priced and you may not include the above celling price for these gaments being of these regulations. note that the OPA requires you

can the statement to be sent to its retailers by The Russell Manufacturing Company, as provided in this paragraph (d), and containing the information applicable to the styles of garments in-

billing or other statement of price cluded in the particular shipment, will be transmitted with, or annexed to the in-

accompanying every shipment made by The Russell Manufacturing Company of any of the garments listed in paragraph (a.) of this order. This statement, with respect to any garment for which The Russell Manufacturing Company is permitted an adjustment of its celling price under this order shall be sent by The Russell Manufacturing Company in lieu of the statement unitor under this order shall be sent by The Russell Manufacturing Company in lieu of the statement unitor wholesale, purchasing any of the garments listed in paragraph (a) of this order from The Russell Manufacturing Company, after August 1, 1945, the Handlers from The Russell Manufacturing Company, after August 1, 1945, the Handlers of OPA Adjustment Charge" containers of OPA Adjustment Charge" containers of OPA Adjustment Charge" containers of OPA Adjustment Charge" contained in the form of "Statement to Russell Manufacturing Company under Paussell Manufacturing Company under Statement to Retailers of OPA Adjustment Charge" contained in the particular shipparagraph (c) above. This "Wholesalers by The Russell Manufacturing Company under Statement of price accompany in the formation applicable to the styles of garments and shall be transmitted with, or annexed to, the involce, billing or other statement of price accompanying every shipment made by the wholesaler after August 1, 1945 of any of the cilling prices of the formation applicable this "Wholesale shall complete this "Wholesale shall complete this "Wholesale shall complete this "Wholesale shall complete this mun Price Regulation 210 prior to this order. In Column B he shall list his order. In Column B he shall list the difference between the amounts in Column A and Column B and Column B for the re-

which are shipped by The Russell Manu-(f) Garments to which the provisions of this order shall apply. This order shall apply only to those garments of facturing Company on or after August 1, 1946 and before November 1, 1946. the styles enumerated in paragraph (a) 1, 1945 and before November 1, spective styles.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 1, 1945.

Issued this 1st day of August 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-14177; Filed, Aug. 1, 1945; 4:02 p. m.]

> [MPR 188, Rev. Order 2879] ASSOCIATED PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered: Order No. 2879 under Maximum Price Regulation No. 188 is revised and amended to read as set forth herein.

(a) This revised order establishes maximum prices for sales and deliveries of certain articles manufactured by Associated Products Company, 1702 West Van Buren Street, Chicago, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manu- facturer to—		the manu-		For sales by any person to con- sumers
, · ·	100.	Job- bers	Re tailers			
13" stretched bell lamp shade with braid trim top and bottom	110	Each \$1.49	Each \$1.75	Each` \$3.15		
at top	450	2, 42	2.85	5. 13		
at top	350	2, 42	2.85	5. 13		
with drape	575	3. 10	3. 50	6.30		

These maximum prices are for the articles described in the manufacturer's application dated May 14, 1945.

(2) For sales by all persons the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other-terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers. is established by this revised order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. \_\_\_\_ OPA Retail Ceiling Price-Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this revised order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobber's maximum prices for sales of the articles covered by this revised order shall be established under the provisions of section 4.5 of SR 14J.

(e) This revised order may be revoked or amended by the Price Administrator at any time.

(f) This revised order shall become effective on the 3d day of August 1945.

Issued this 2d day of August 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-14229; Filed, Aug. 2, 1945; 11:31 a. m.]

[MPR 254, Order 6]

HARRINGTON AND RICHARDSON ARMS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register. and pursuant to § 1379.4 of Maximum Price Regulation No. 254, It is ordered:

(a) This order establishes maximum prices for sales and deliveries of several .22 caliber rifles manufactured by Harrington and Richardson Arms Company. 320 Park Avenue, Worcester 2, Mass.

(1) For all sales and deliveries to the following classes of purchasers by any person, the maximum prices are those set forth below:

•		Maximum price to—		
Article	Model No.	Job- ber (excl. tax)	Re- tailer (incl. tax)	Con- sumer (incl. tax)
Rifle .22 callber	165 265 365 465	\$35, 80 20, 35 17, 20 32, 90	\$46. 69 28. 69 23. 64 44. 74	\$57. 44 34. 19 27. 24 52. 96

The above maximum prices are subject to a cash discount of 2% 10 days and are f. o. b. factory. These maximum prices are for the articles described in the manufacturer's application dated May 24, 1945.

(2) For sales by the manufacturer. the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 254 became applicable to those sales and deliveries.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries on and after the effective date of this order:

(4) The prices established by this order are subject to each seller's customary terms and conditions of sale on sales of similar articles to each class of purchaser. They include the adjustment of maximum prices permitted by § 1379.4a of Maximum Price Regulation No. 254.

(b) At the time of or prior to the first invoice to a purchaser for resale, each seller shall notify the purchaser in writing of the maximum price and conditions established by this order for resales by the purchaser. This notice may be given in any convenient form.

(c) All provisions of Maximum Price Regulation No. 254 not inconsistent with the provisions of this order are applicable to the sales of the articles for which maximum prices are established by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 3d day of August 1945.

Issued this 2d day of August 1945.

CHESTER BOWLES. Administrator.

[F. R. Doc. 45-14230; Filed, Aug. 2, 1945; 11:31 a. m.]

> [RMPR 499, Amdt. 1 to Order 14] GORDON ARTHUR SMITH, INC. APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 8 and 14 of Revised Maximum Price Regulation No. 499, it is ordered that Order No. 14 under RMPR 499 be amended in the following respect:

The following items and their maximum prices are added to the list of items and maximum prices in paragraph (b):

Description	Maxi- mutn price to retailer	
15 jewel 1034 ligne Sultana, chrome steel back waterproof, incabloc, sweepsecond, strap 15 jewel 1032 ligno Kummer, chromo steel back waterproof,	<b>\$19. 25</b>	<b>\$47.</b> 50
chrome steel back waterproof, incabloc, strap 15 jewel 1014 ligne Winston, all	18. 25	45,00
steel waterproof, strap	21.00	49. 50
strap	25. 80	57. 60
waterproof automatic #120, 15 jowel 834 ligne Universal #28333 all steel waterproof, auto-	<i>6</i> 0.00	125.00
matic, strapped #120, 15 jewel 834 ligne Universal #28333 all steel waterproof, auto-	40.00	05.00
matic; but with metal bracelet #121, 15 jewel 10½ ligne Universal #31013 chrome steel back water-	42.00	100.00
proof, strapped #121, 15 jewel 10½ ligne Universal #31013 chrome steel back water-	27.00	62. 50
proof, but with metal bracelet  15 Jewel 12 ligne Universal #214143	29.00	67, 50
all steel waterproof, strapped 17 jewel 10½ ligne Universal #20503 all steel waterproof, sweepsec-	32, 50	71. 50
ond, strapped	30.00	85.00
sweepsecond strapped	35.00 85.00	* 85,00 200,00
15 jewel 12 ligne Universal #21301 and 21302 all steel calendar.		
strapped	47.00	110.00

The maximum prices to retailers are f. o. b. Omaha, Nebraska, and are net. The maximum retail prices above are inclusive of the Federal excise tax of 10% (20% in the case of watches selling at retail for more than \$65).

This amendment shall become effective August 3, 1945.

Issued this 2d day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-14231; Filed, Aug. 2, 1945; •11:32 a.m.]

[Rev. Supp. Order 99, Order 10] CHALMERS KNITTING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to Revised Supplementary Order 99 and § 1372.101 (c) of Maximum Price Regulation 210, it is ordered:

(a) Ceiling prices for sales by Chalmers Knitting Company. (1) On and after August 2, 1945, Chalmers Knitting Company, Amsterdam, New York, may sell and deliver to any wholesaler and any wholesaler may buy and receive from it, the following designated fall and winter knitted underwear manufactured by Chalmers Knitting Company, at prices not in excess of the following adjusted ceiling prices:

ceiling prices: Adjusted ceiling Style and description price (per dozen) 2371 (shirt), men's long sleeve shirt made of 11.60 single ply combed yarn, random dyed, net weight 7½ pounds per dozen (based on size 42), sizes 34 to 46\_\_ 88.30 2371 (drawer), men's lace back, ankle length drawers, made of 11.60 single ply combed yarn, random dyed, net 14.60 single ply carded yarn, random dyed, net weight 12½ pounds per dozen (based on size 42), sizes 34 11.66 6262, men's cotton union suit, made of 14.60 single ply carded yarn, random dyed, net weight 11½ pounds (based on size 42), sizes 34 to 46, short sleeves, ankle length... 7471, men's cotton union suit, made of 11.60 single ply carded yarn, random dyed, net weight 15 pounds per dozen (based on size 42), sizes 34 to 46, long sleeves, ankle length\_\_\_\_ 7472, men's cotton union suit, made of 11.60 single ply carded yarn, random dyed, net weight 13½ pounds per dozen (based on size 42), sizes 34 to 46, short sleeve, ankle length\_\_\_\_\_ 8661 (shirt), men's long sleeve shirt, made of 11.15 single ply carded yarn, random dyed, net weight 101/2 pounds per dozen, based on size 42), sizes 34 to 46\_\_\_\_\_\_ 8.99

8661 (drawer), men's ankle length drawer, made of 11.15 single ply carded yarn, random dyed, net

weight 8¼ pounds (based on size 40), sizes 30 to 46\_\_\_\_\_

single ply carded yarn, random dyed, net weight 9 pounds per dozen (based on size 32), sizes 24 to 34, short sleeve, ankle length, in case-

9362 boy's union suit, made of 11.15

8.15

<sup>2</sup> 10 F.R. 6796.

lot assortments\_\_\_\_\_

- (2) The adjusted ceiling prices set forth in paragraph (a) above are subject to terms of 2/10 EOM and to all allowances, price differentials and other trade practices, including practices relating to shipping and the payment of shipping charges and premiums for extra sizes, customarily used by Chalmers Knitting Company during the period from July 15, 1941 to February 10, 1942, both inclusive, on deliveries of comparable types of fall and winter knitted underwear.
- (b) Ceiling prices for sales at wholesale. (1) On and after August 2, 1945, the ceiling price for a sale at wholesale of the garments enumerated in paragraph (a) of this order, shipped to the seller by Chalmers Knitting Company on or after that date shall be determined in the following manner:
- (i) The wholesaler shall first find his "cost base" for the garment being priced from the following table:

C	ost base
Style No.: (p	er dozen)
2371 (snirt)	87.EO
2371 (drawer)	7. 50
6261	10.90
6262	10.00
7471	11.25
7472	11.25
8661 (shirt)	7.60
8661 (drawer)	7.50
9362	7.75
9364	7.75

(ii) The wholesaler will then apply to the "cost base" for the garment being priced his "initial percentage markup" determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.102 (b) of Maximum Price Regulation 210 (Retail and Wholesale Prices for Fall and Winter Seasonal Commodities).

(iii) The wholesaler will then add to the amount found in (ii), immediately above, the sum specified below for the style of garment being priced. The resulting figure is the wholesaler's new ceiling price for the garment being priced.

	Timount Of		
		tment	
Style No.:	(per d	(ozen)	
2371 (shirt)		£0, £0	
2371 (drawer)		. 81	
6261		1 25	
6262		. 68	
7471		1.46	
7472		. 78	
8681 (shirt)		1.12	
8661 (drawer)		.49	
9362		.76	
9364		.35	

(2) The ceiling prices established for sales at wholesale in this paragraph are subject to all discounts, allowances, price differentials and other trade practices, including premiums for extra sizes, which the wholesaler used during 1942 on deliveries of comparable types of fall and winter knitted underwear.

(c) Statement which Chalmers Knitting Company must send to wholesalers.
(1) On and after August 2, 1945, Chalmers Knitting Company shall transmit to each wholesaler to whom it makes delivery, on and after that date, of any of the garments listed in paragraph (a) of this order, the following statement:

## Statement to Wholesalers of Adjusted Ceiling Prices

The OPA has adjusted our ceiling prices on certain limited underwear garments pursuant to the provisions of Order No. 10, issued under Revised Supplementary Order 93. In Column A below you will find our adjusted ceiling prices for these garments.

Under this order the OPA has established

Under this order the OPA has established the method by which you, as a wholesaler, are to determine your ceiling prices for these

garments.

You are required by the OPA to determine your celling prices for the specified styles by the following method: You first find the "cost base" for the garment being priced from Column B of the following table. You then apply to this "cost base" your "initial percentage markup" (determined in accordance with the appropriate rule set forth in subparagraph (3) of § 1372.162 (b) of Maximum Price Regulation 210). You then find your new celling price by adding to the amount thus determined the amount specified in Column C below for the particular style of garment being priced.

Style No.	Chalmers' callusted ceiling price	Column B  "Cost bace" to which who leader applies "initial percentage markup"	Column C  Amount of adjustment which wholesaler may add
2571 (chlrt). 2571 (drawer) 2571 (drawer) 2571 (drawer) 2571 (chlrt). 2571 (chlrt). 2571 (drawer) 2572 (cold.).	\$3.20 8.53 11.66 10.83 13.20 12.23 8.69 8.15 8.70 8.22	\$7.50 7.50 10.00 10.00 11.25 11.25 7.50 7.75 7.75	\$0.60 .81 1.22 .60 1.44 .73 1.12 .40 .70

Pleace note that, as a wholesaler, you are required by the OPA to transmit to each retailer to whom you deliver any of the gar-ments listed above on or after August 2, 1945, a "Wholesaler's Statement to Retailers of OPA Adjustment Charge" in the following form, properly filled in by you with the information applicable to the particular garments being delivered by you to the retailer. You are required to complete this statement as follows: In Column A you shall list the ceiling prices of the particular styles being shipped which were in effect for you under Maximum Price Regulation 210 prior to the date of this order. In Column B you shall list the new ceiling prices which you deter-mine in accordance with the method indicated in this statement to you. In Column O you shall list the difference between the amounts in Column A and Column B below for the respective styles. This notice, when properly completed by you, is to be transmitted with, or annexed to, the invoice, billing or other statement of price accompanying every shipment made by you to your retailer customers of the styles shipped to you by us.

# Wholesaler's Statement to Retailers of OPA Adjustment Charge

The Office of Price Administration, pursuant to Order No. 10, issued under Revised Supplementary Order 89, has permitted us to adjust our ceiling prices on the following garments, cold and delivered by us to you on or after August 2, 1945.

	Column A	Column B	Column O
Style No.	Our old ceiling price	Our new ceiling price	Our OPA adjustment charge (dif- ference be- tween old and new ceil- ing price)
2371 (shirt)	Per dozen	Per dozen	
2371 (drawer) 6261			
6262 7471			
7472 8661 (shirt) 8661 (drawer)			
9362			
9364			

Please note that the OPA has ruled that you must price these garments in accordance with Maximum Price Regulation 580 or Maximum Price Regulation 210 (whichever regulation governs your sales of the garments listed above). In determining your ceiling prices for these garments the OPA has ruled that you must use as your "net cost" under MPR 580 or your "cost base" under MPR 210 the amount set forth in Column A above. You may not, in any case, include the amount of the OPA adjustment charge set forth in Column C above in determining your ceiling price for these garments under either of these regulations.

(2) The statement required to be sent by Chalmers Knitting Company to its wholesalers, as provided in this paragraph (c), and containing the information applicable to the styles of garments included in the particular shipment shall be transmitted with or be annexed to the invoice, billing or other statement of price, accompanying every shipment made by Chalmers Knitting Company of the garments listed in paragraph (a) of this order. This statement, with respect to any garment for which the Chalmers Knitting Company is permitted an adjustment of its ceiling price under this order, shall be sent by Chalmers Knitting. Company in lieu of the statement required under § 1389.304 (as amended) of Maximum Price Regulation 221.

(d) Statement which wholesalers must send to their retailers. Any seller at wholesale, purchasing any of the garments listed in paragraph (a) of this order from Chalmers Knitting Company, after August 2, 1945, shall transmit to each of its own customers, at the time of the delivery by it of any of these gar-ments on or after August 2, 1945, the form of "Wholesaler's Statement to Retailers of OPA Adjustment Charge" con<sup>o</sup> tained in the form of "Statement to Wholesalers of OPA Adjustment Charge" required to be sent to wholesalers by Chalmers Knitting Company under paragraph (c) above. This "Wholesaler's Statement to Retailers of OPA Adjust-ment Charge" shall contain the information applicable to the styles of garments included in the particular shipment and shall be transmitted with, or annexed to, the invoice, billing or other statement of price accompanying every shipment made by the wholesaler after August 2, 1945, of any of the garments covered by this order. Each seller at wholesale shall complete this "Wholesaler's Statement to Retailers of OPA Adjustment Charge" as follows: In Column A he shall list the ceiling prices in effect for sales by him under Maximum Price Regulation 210 prior to this order. In Column B he shall list his new ceiling prices for garments, determined in accordance with paragraph (c) of this order. In Column C he shall list the difference between the amounts in Column A and Column B for the respective styles.

(e) Garments to which the provisions of this order shall apply. This order shall apply only to those garments of the styles enumerated in paragraph (a) which are shipped by Chalmers Knitting Company on or after August 2, 1945, and before November 1, 1945.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 2, 1945.

Issued this 2d day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-14242; Filed, Aug. 2, 1945; 3:51 p. m.]

[RMPR 122, Amdt. 29 to Rev. Order 47]
GILBERTON COAL CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.260 of Revised Maximum Price Regulation No. 122, It is ordered, That Revised Order No. 47 under Revised Maximum Price Regulation No. 122 be amended in the following respects:

New paragraph (f15) is added to read as follows:

(f15) The prices set forth in paragraphs (c) (1), (d) and (f) for the respective areas and for "direct delivery" and "yard sales" may be increased for the sales of The Gilberton Coal Company's anthracite, by no more than 40 cents per net ton for the egg, stove, nut, pea, buckwheat and rice sizes; if:

(1) The dealer keeps The Gilberton Coal Company's anthracite separate in storage and delivery from any other kind of solid fuels:

(2) The dealer keeps complete and accurate records of the Gilberton Coal Company's anthracite for such time as this paragraph (f15) is in effect. The records shall show the date he received the coal; the name and address of the producer; the quantity in net tons of each delivery to him of such anthracite and all invoices sent to him by the producer; and,

(3) The Gilberton Coal Company's anthracite is produced by The Gilberton Coal Company, Gilberton, Pennsylvania.

This amendment shall become effective August 2, 1945.

Issued this 2d day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-14244; Filed, Aug. 2, 1945; 3:51 p. m.]

[MPR 188, Order 4186]

M. S. KENWORTHY CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by M. S. Kenworthy Company of 9135 S. W. 43rd Ave-

nue, Portland 1, Oreg.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

•	~	Maximum prices for sales by any seller to—				
Article	Model No.	Whole- salers (Job- bers)		Other retail- ers	Con- sum- ers	
Aluminum griddle.	1314	Each \$2.00	Each \$2.40	Each \$2. 67	Each \$1.00	

These maximum prices are for the articles described in the manufacturer's application dated May 24, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of

similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

#### OPA Retail Ceiling Price—\$4.00 Do Not Detach or Obliterate

- (c). At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.
- (d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 2d day of August 1945.

Issued this 1st day of August 1945.

CHESTER BOWLES,

Administrator.

[F. R. Doc. 45-14245; Filed, Aug. 2, 1945; 3:50 p. m.]

[MPR 188, Order 4189]

U. S. ALADDIN CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by U. S. Aladdin Company, 4500 Brazil Street, Los Angeles 26, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

					•
		Maxim by	um pri any sel	es for ler to—	salcs
Article	Model No.	Job- ber	Chain and Dept. stores	Other retail- ers	Con- sum- er
Aluminum sauce	7	Each \$0.45	Each \$0.54	Each \$0.60	
Aluminum ladle	234	Dozen \$0.90	Dozen \$1.08	Doz- en \$1.20	en

These maximum prices are for the articles described in the manufacturer's application dated June 6, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. They are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the retail prices properly filled in:

OPA Retail Ceiling Price—3.\_\_\_\_ Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at

any time.

(e) This order shall become effective on the 2d day of August 1945.

Issued this 1st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-14246; Filed, Aug. 2, 1945; 3:50 p. m.]

[MPR 188, Order 4190] KNUDSON MFG. Co.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Knudson Manufacturing Company of 109 East Pico, Los Angeles 15, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article		Maxim by	any tel	prices for cales celler to—		
	Model No.	Whole- calcus (Job- cars)	Chain and dept. eteres	Other retail- ers	Cen- cus	
Aluminum griddle.	10"	Està Sl. 64	E::::h \$1.89	E::1) \$2.67,	Ecal 83, 10	

These maximum prices are for the articles described in the manufacturer's application dated June 25, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are for the article described in your application. They are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days pet 30 days

ment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made

until maximum prices have been authorized by the Office of Price Administration

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

## OPA Retail Ceiling Price—\$3.10 Each Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the seller shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at

any time.

(e) This order shall become effective on the 2d day of August 1945.

Issued this 1st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Dac. 45-14247; Filed, Aug. 2, 1945; 3:50 p. m.]

[MPR 61, Amdt. 2 to Order 4]

Limed, Pickled and Blue Cheome Splits maximum prices for sales

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation 61, It is ordered:

Order No. 4 is revised and amended to read as follows:

(a) On and after August 1, 1945, the maximum price which may be charged by any producer thereof for a sale or delivery of limed, pickled or blue splits (other than gelatine or glue stock) shall be the highest price charged by him during March 1942 for splits of the same type, weight, potential cutting value and quality and grade. In the event that such seller did not deliver or offer to deliver, during March 1942, splits of the same type, weight, potential cutting value and quality and grade, the maximum price which he may charge shall be a price in line with the highest price charged by him during March 1942 for splits of the nearest related type, weight, potential cutting value and quality and grade. The term "in line with" as used in this paragraph (a) means having a justifiable relation to the highest price charged by the seller during March 1942 with commensurate increases or decreases to give effect to actual differences in type, weight, potential cutting value and quality and grade of the leathers involved and to take into account differences, if any, in the classes of purchasers.

When used in this order the term "the highest price charged by the seller during March 1942" shall have the definition given to it by § 1499.2 of the General Maximum Price Regulation.

(b) Every person selling under the provisions of paragraph (a) of this order shall file a report of his March 1942 high-

est price, or in-line price where an inline price is used, with the Office of Price Administration in conformity with section 14 of Maximum Price Regulation 61, not later than one week after the date of the first sale made after the effective date of this order.

(c) The maximum price which may be charged by any producer thereof for a sale or delivery of limed, pickled or blue splits which cannot be priced under paragraph (a) above, shall be a price determined by the Office of Price Administration to be in line with the general level of prices during March 1942 for splits of the same and related types, weights, potential cutting values and qualities and grades sold to a purchaser of the same class. No such seller may sell or deliver splits under the provisions of this paragraph unless he has filed an application, in conformity with section 14 of Maximum Price Regulation 61, for establishment of his maximum price and has obtained from the Office of Price Administration an order establishing his maximum price for such splits.

(d) For the purposes of this order the term "base period" as used in section 14 of Maximum Price Regulation 61 shall mean the month of March 1942.

(e) Sales by a person other than the producer thereof. On and after August 1, 1945, the maximum price which may be charged for limed, pickled or blue splits by any person other than the producer thereof shall be as follows:

(1) In the case of limed splits and all head and shoulder splits whether limed, pickled or blue the maximum price shall be the producer's maximum price therefor plus a markup of 1/4 cent per pound.

(2) In the case of pickled or blue splits other than head and shoulder splits the maximum price shall be the producer's maximum price therefor plus a markup of ½ cent per pound for sales of untrimmed splits and ½ cent per foot for sales of trimmed splits.

(3) Terms of sale shall be net cash for payment within 30 days from the date of invoice, f. o. b. the shipping point of the producer thereof. Transportation charges actually paid or incurred in transporting the splits from the producer's shipping point may be added. However, in the event that the splits are transported in the seller's own conveyance the amount added may not exceed the lowest available common carrier rate for an identical shipment from the same shipping point to the same receiving point.

(f) As used in this order the term:(1) "Split" means one of the layers, other than the grain or hair portion, into which a horse hide, cattle hide, kip or calfskin has been separated and which is suitable for further tanning purposes.

(2) "Limed splits" means splits which are chemically treated through the dehairing process. They shall be free of

- excess sulphide, lime or water.
  (3) "Pickled splits" means splits which are chemically treated through the pickling process. They shall be drained at least 48 hours before determination of their invoiced weight.
- (4) "Blue splits" means splits which are chemically treated through the chrome tanning process.

(5) A "producer" of splits is one who separates splits from horse hides, cattle hides, kips or calfskins and partially tans, processes or trims such splits, or who buys such splits and resells them other than exactly as purchased at the producer's net invoiced weight.

(6) A "person other than a producer" of splits is one who buys and resells splits exactly as purchased at the pro-

ducer's net invoiced weight.

(g) The maximum prices established by this amendment shall supersede and replace any and all maximum prices previously established for sales of such splits.

This amendment shall become effective August 1, 1945.

Issued this 2d day of August 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-14243; Filed, Aug. 2, 1945; 3:51 p. m.]

[Supp. Order 94, Order 74]

RECONSTRUCTION FINANCE CORPORATION

O SPECIAL MAXIMUM PRICES FOR CERTAIN PLY-WOOD AND VENEERS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register. and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) What this order does. This order establishes maximum prices for resellers of surplus hardwood plywood and veneers hereinafter defined, which have been or may be purchased from the Reconstruction Finance Corporation; or any other Government agency:

(1) Hardwood plywood is any flat or bandsawn assembly of veneer or veneer and lumber core, also any assembly of fiberboard, paper, pulpwood, or any other material, in which at least one ply is of any hardwood species of veneer.

(2) Aircraft veneer manufactured to Army-Navy specifications AN-NN-P-511b and AN-P-69 or British Standard specifications 5-V-3 and 6-V-3.

(3) Commercial and technical veneer other than aircraft veneer of any species, whether rotary cut, sawn or sliced.

Note: "Commercial veneer" does not include box grade veneer.

- (b) Maximum prices. The maximum prices for the aforesaid hardwood plywood and veneers shall be:
- (1) For distribution plant sales, f. o. b. plant the sum of the following:
- (i) The purchase price from the Government, not to exceed the established ceiling price for such a sale.
- (ii) Actual freight paid from the Government's warehouse to buyer's warehouse.
- (iii) A mark-up of 25% on the sum of items (i) and (ii) if the sale, including this mark-up, involves at least \$200, or a mark-up of 35% if the sale, figured with the 25% mark-up would involve less than \$200.
- (2) For retail sales, f. o. b. yard, the sum of the items (i) and (ii) under paragraph (b) (1) plus a mark-up of

(3) For all other sales, f. o. b. plant or yard, which are not "distribution plant sales" or "retail sales", the prices for a "distribution plant sale" as determined in accordance with paragraph (b)

(c) Delivery charges. On all sales if the buyer requests delivery within a free delivery zone which the seller recognized during March 1942, the seller cannot charge for making the delivery. If the seller did not offer free delivery in March 1942, or if the buyer requests delivery outside the recognized free delivery zone, the following rules apply:

(1) When delivery is by truck owned or controlled by the seller, the actual cost of delivery may be added, except that in no case may this addition exceed 80% of the common carrier truck charges for the same shipment.

(2) When delivery is by common or contract carrier, the actual cost of de-

livery may be added.

(d) Definitions.-Distribution plant sale. A "distribution plant sale" is any sale by a plywood or veneer dis-tribution plant of hardwood plywood or veneer in its regular stock at the time of sale. '

A "distribution plant" is a wholesale or retail warehouse or yard which does not process plywood or veneer and which (a) during any one of the three immediately preceding calendar years received from sales of plywood or veneer more than 20% of its total dollar income from all sales or, (b) which in the immediately preceding calendar year received a majority by volume of its hardwood ply-wood and veneer on direct-mill shipments.

(2) Retail sales. A "retail sale" is any sale of less than 1000 square feet of hardwood plywood or veneer to the ultimate consumer which is not a "distribution plant sale.'

(3) All other sales. "All other sales" includes every sale of hardwood plywood or veneer which is not a "distribution

plant sale" or a "retail sale."

- (e) Relation to other regulations and orders. This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administra-
- (f) Revocation and amendment. This order may be revoked or amended at any

This order shall become effective August 4, 1945.

Issued this 3d day of August 1945.

CHESTER BOWLES. Administrator.

[F. R. Doc. 45-14314; Filed, Aug. 3, 1945; 11:37 a. m.]

[MPR. 188, Amdt. 90 to Order A-1, Corr.]

NARROW MOUTH GLASS CONTAINERS

ADJUSTMENT OF MAXIMUM PRICES

The reference to paragraph (a) (58) (iv) in Amendment 90 to Order A-1 is corrected to read "Paragraph" (a) (4) (iv)."

This correction shall be effective as of July 30, 1945.

Issued this 3d day of August 1945.

CHESTER BOWLES, Administrator.

[F. R. Doc. 45-14340; Filed, Aug. 3, 1945; 11:37 a.m.]

## [MPR 260, Order 1701] BONIFACIO REYES

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260, It is ordered, That:

(a) Bonifacio Reyes, Garco 41, Caguas, P. R. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail. price set forth below:

Brand	Size or frontmark	Pack- ing	list price	mum retail price
Bonifacio Reyes	Media Corona	50	Per M \$40	Cents 5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be). in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358,113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 2, 1945.

Issued this 1st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-14195; Filed, Aug. 1, 1945; 4:08 p. m.]

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 70-936]

GEORGIA POWER AND LIGHT CO.

ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 31st day of July 1945.

Georgia Power and Light Company, an indirect subsidiary of General Gas & Electric Corporation, a registered holding company, having filed an application, and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of section 6 (a) of the act of the issue and sale, in accordance with the competitive bidding requirements of Rule U-50, of \$2,500,000 principal amount of First Mortgage Bonds to mature March 1, 1975; and

The Commission having, by order dated April 26, 1945, granted said application, as amended, and said order having, among other things, reserved jurisdiction with respect to the payment of all legal fees and expenses of all counsel: and

Winthrop, Stimson, Putnam & Roberts, counsel for Georgia Power and Light Company, having submitted information regarding the nature and extent of the services rendered by it for such company for which fees aggregating \$5,000 are requested; T. Guy Connell, also counsel for Georgia Power and Light Company, having submitted information regarding the nature and extent of the services rendered by him to such company for which fees aggregating \$2,500 are requested; and Shearman & Sterling & Wright, counsel for the bidders for said Bonds,

having submitted information regarding the nature and extent of the services rendered by it for which fees aggregating \$5,000 and reimbursement of expenses not to exceed \$100 are requested; and

It appearing to the Commission that such fees are not unreasonable:

It is ordered, That the jurisdiction heretofore reserved with respect to the payment of fees to Winthrop, Stimson, Putnam & Roberts, T. Guy Connell, and Shearman & Sterling & Wright, and resimbursement to the latter of expenses not to exceed \$100, be, and hereby is, released; and

It is further ordered, That the jurisdiction heretofore reserved over the payment of miscellaneous expenses in connection with the proposed transactions be continued.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F. R. Duc. 45-14291; Filed, Aug. 3, 1945; 11:25 a.m.]

[File No. 70-1052]

ELECTRIC BOND AND SHARE CO. ET AL.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 31st day of July 1945.

In the matter of Electric Bond and Share Company, Ebasco Services Incorporated, Two Rector Street Corporation; File No. 70-1052.

File No. 70-1052.

Two Rector Street Corporation, a wholly-owned non-utility subsidiary of Ebasco Services, Incorporated, which is a wholly-owned service company subsidiary of Electric Bond and Share Company, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 requesting exemptions from the provisions of sections 6 (a) and 7 of the act with respect to the renewal of certain indebtedness of Two Rector Street Corporation to The Prudential Insurance Company of America, which indebtedness is secured by a mortgage on an office building owned by the former corporation; and

Two Rector Street Corporation, Ebasco Services, Incorporated and Electric Bond and Share Company having also filed joint declarations and amendments pursuant to section 12 (b) of the act regarding renewal of a lease of space in the said office building by Ebasco Services. Incorporated, from Two Rector Street Corporation under which lease Ebasco Services, Incorporated, agrees to pay a minimum rental such that Two Rector Street Corporation will be able to meet the annual payments of interest and amortization of principal required under the terms of the mortgage indebtedness of Two Rector Street Corporation to the Prudential Insurance Company of America; Electric Bond and Share Company being contingently liable to Two Rector Street Corporation in the event

Ebasco Services, Incorporated defaults

on its obligation; and

A public hearing having been held on the application and declaration, as amended; the Commission having considered the record and having made and filed its findings and opinion based thereon;

It is ordered, That said application and declarations, as amended, be and the same hereby are granted and permitted to become effective forthwith, subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 45-14292; Filed, Aug. 3, 1945; 11:26 a. m.]

[File Nos. 59-35, 59-61, 54-66]

NEW YORK WATER SERVICE CORP. ET AL. NOTICE OF FILING OF AMENDED PLAN, ORDER

RECONVENING HEARING AND NOTICE OF RE-CONVENED HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of August, A. D.

In the matters of New York Water Service Corporation, Federal Water and Gas Corporation, File No. 59-35; Federal Water and Gas Corporation and Subsidiary Companies, (Respondents), File No. 59-61; Federal Water and Gas Corporation and Subsidiary Companies, File No. 54-66.

I. Notice is hereby given that New ·York Water Service Corporation, ("New York"), a subsidiary of Federal Water and Gas Corporation ("Federal"), a registered holding company, has filed an amended plan pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 for the purpose of enabling New York to comply with the provisions of section 11 (b) of the act.

All interested persons are referred to said amended plan, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

1. New York has presently outstanding \$13,606,000 principal amount of long term debt, 46,532 shares of \$100 par value 6% Cumulative Preferred Stock, and 26,015 shares of \$100 par value Common Stock. Federal owns all the Common Stock and no other securities of New York. At March 31, 1945, cumulative dividend arrears on the preferred stock aggregated \$3,780,725, equivalent to \$81.25 per share.

2. Under the amended plan, each share of New York's 6% Cumulative Preferred Stock would be changed into and reclassified as one share of no par value common stock, with a temporary stated value of \$10 per share, pending final adjudication of the original cost of New York's properties. All rights of holders of the preferred stock to accumulated and unpaid dividends would be cancelled. The presently outstanding Common Stock of New York would be surrendered to New York and accorded no recognition in the recapitalization.

3. This Commission is requested to approve the amended plan, to order Federal to surrender to New York the certificates for all New York's presently outstanding Common Stock, and to apply to a District Court of the United States to enforce and carry out the terms and provisions of the amended plan.

4. The amended plan states that the order of the District Court enforcing and carrying out the provisions of the amended plan may provide, if this Commission shall so require and the Court approve, for the transfer of all the issued and outstanding preferred stock of the corporation by the transfer agent, without the written or other consent of the holders thereof, to an officer of the Court to be designated in such order to act as trustee or nominee for the holders of said preferred stock and to be authorized and directed, among other things, to vote said stock in favor of the amended plan and the amendment of the Certifi-Incorporation as provided cate of therein.

5. The amended plan provides for an application by New York to the Public Service Commission of the State of New York for an order approving the issuance of the proposed common stock, and further provides that the proposed amendment to the Certificate of Incorporation of New York will be presented to the Public Service Commission of the State of New York for endorsement of consent to the reduction in capital effected thereby and thereafter to the Secretary of State of New York for filing.

6. Expenses of carrying out the amended plan are estimated at \$19,772.

II. Proceedings instituted by the Commission pursuant to sections 11 (b), 15 (f), and 20 (a) of the act directed to Federal and New York (File Nos. 59-61 and 59-35) and proceedings in respect of a plan under section 11 (e) of the act filed by Federal and its subsidiaries (File No. 54-66) have heretofore been consolidated.

By order dated February 10, 1943, the Commission, in said consolidated proceedings under section 11 of the act, among other things, (1) ordered that New York shall take such steps as may be necessary to recapitalize so as to fairly and equitably distribute voting power among its security holders; Provided. That the common stock of New York owned by Federal shall be accorded no recognition in such recapitalization; (2) ordered that Federal shall take such action as may be necessary to divest itself of all interests held by it, directly or indirectly, in the business conducted and properties owned by New York; Provided, That such divestment shall not be effected through the sales of securities of New York owned by Federal prior to the recapitalization of New York in such manner as to provide for a fair and equitable distribution of voting power among security holders thereof; and (3) approved a plan filed by Federal and subsidiaries under section 11 (e) of the act, in which plan Federal consented to the provisions of the order described above relating to New York and to Federal's interest in New York.

New York has heretofore filed a plan of recapitalization pursuant to section 11 (e) of the act (File No. 54-66); a hearing was held in these consolidated proceedings in respect of said plan and was continued indefinitely.

III. It appearing to the Commission that notice should be given and that the hearing herein previously continued should be reconvened for the purpose of taking testimony in respect of said

amended plan;
It is ordered, That the hearing herein be reconvened under the applicable provisions of the act and the rules of the Commission thereunder on August 24, 1945, at 10:00 a. m., e. w. t., at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On that date, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That Robert P. Reeder, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the reconvened hearing. The officer so designated to preside at the hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice. \*

It is further ordered, That, without limiting the scope of the issues presented by these proceedings, attention will be directed at the hearing to the following

matters and questions:

1. Whether the amended plan, as proposed or as hereafter modified, is necessary to effectuate the provisions of section 11 (b) of the act, is fair and equitable to the persons affected thereby, and would effect compliance with the Commission's order herein dated February 10, 1943;

2. What terms and conditions, if any. should be imposed in the public interest or for the protection of investors or consumers in connection with the proposed issuance of 46,532 shares of new

common stock; 3. Whether the proposed reduction in the capital of New York is detrimental to the interests of New York's security

holders:

4. Whether the proposed accounting entries in connection with the plan are in accordance with the standards of the Act and the Rules promulgated thereunder:

5. Whether the amended plan as filed or as modified makes appropriate provision for the payment of expenses, fees and remuneration in connection with the recapitalization, and in what amounts such expenses, fees, and remuneration should be paid;

- 6. Generally, whether the amended plan and all proposed transactions incidental thereto are, in all respects, in the public interest and in the interests of investors and consumers and consistent with all applicable requirements of the act and the rules thereunder, and if not, what modifications and what terms and conditions should be required or imposed to satisfy the statutory standards;
- 7. Whether, in the event that the Commission shall approved the amended plan as filed or as modified, the Commission shall approve said plan for pur-

poses of section 11 (d) of the act (as well as section 11 (e)) so as to permit the Commission, of its own motion and irrespective of any request therefor on the part of New York, to apply to a court for the enforcement of the amended plan pursuant to section 11 (d) of the act;

8. Whether, in the event that the Commission shall not approve the amended plan as filed or as modified, a plan proposed by the Commission or by any person having a bona fide interest in the recapitalization of New York should be approved by the Commission for purposes of section 11 (d) of the act, and, if proposed by the Commission, what the terms and provisions of such plan should be.

It is further ordered, That notice of this hearing is hereby given to New York, to Federal, to the Public Service Commission of the State of New York, and to all interested persons, said notice to be given to New York, to Federal, and to the Public Service Commission of the State of New York by registered mail, and to all other persons by a general release of this Commission which shall be distributed to the press and mailed to all persons on the mailing list for the release issued under the Public Utility Holding Company Act of 1935 and by publication in the FEDERAL REGISTER.

It is further ordered, That New York shall give additional notice of this hearing to the holders of its 6% Cumulative Preferred Stock (insofar as the identity of such security holders is known or is available to it) by mailing to each of said persons a copy of this notice and order at his last-known address at least fifteen days prior to the date of this hearing.

It is required that any person desiring to be heard in these proceedings shall file with the Secretary of the Commission on or before August 21, 1945 an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 45-14290; Filed, Aug. 3, 1945; 11:25 a. m.]

## SURPLUS PROPERTY BOARD.

[SPB Reg. 3, Order 28] UTAH

ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; It is hereby ordered, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and 10-

cated in Beaver, Box Elder, Cache, Carbon, Daggett, Davis, Duchesne, Emery, Garfield, Grand, Iron, Juab, Kane, Millard, Morgan, Plute, Rich, Salt Lake, San Juan, San Pete, Sevier, Summit, Tooele, Uintah, Utah, Wasatch, Washington, Wayne, and Weber Counties, Utah, 7 one-half-ton, weapon carrier trucks, 23 one-half-ton pickup trucks, 1 one-halfton reconnaissance truck, 33 one-and-one-half-ton cargo trucks, 11 one-halfton commander trucks, and 9 one-halfton radio trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

> SURPLUS PROPERTY BOARD, By A. E. Howse, Administrator.

JULY 30, 1945.

[F. R. Doc. 45-14256; Filed, Aug. 2, 1945; 4:39 p. m.]

## [SPB Reg. 3, Order 29] OKLAHOMA

ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certificate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the area named below by a shortage of trucks; It is hereby ordered, That:

The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Beckham, Caddo, Canadian, Carter, Cleveland, Comanche, Cotton, Custer, Dewey, Garvin, Grady, Greer, Harmon, Jackson, Jesserson, Klowa, Love, McClain, Murray, Pottawatomie, Roger Mills, Stephens, Tillman, and Washita Counties, Oklahoma, 51 trucks, two-and-one-half-ton and one-and-onehalf-ton hydraulic dump, four-ton caband-chassis, one-and-one-half-ton car-go, one-and-one-half-ton cargo-stakeand-platform, one - and - one - half - ton panel, one-and-one-half-ton platform, one-half-ton pickup, one-half-ton panel, one-half-ton carryall, and one-half-ton bus, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective immediately.

> SURPLUS PROPERTY BOARD, By A. E. Howse, Administrator.

JULY 30, 1945.

[F. R. Doc. 45-14255; Filed, Aug. 2, 1945; 4:39 p. m.]

[Rev. Special Order 13] SPECIAL ACCOUNTS FOR REFUNDS TO PURCHASERS

Surplus Property Board Special Order 13, July 10, 1945 (10 F.R. 8598) is hereby revised and amended as set forth below.

Pursuant to the authority of section 30 (c) of the Surplus Property Act of 1944 (50 Stat. 765; 59 U.S.C. App. Sup. IV, 1611), it is hereby ordered, that:

1. Department of Commerce. The Department of Commerce, as successor disposal agency to the Treasury Department, is hereby authorized to deposit in a special account with the Treasurer of the United States amounts from proceeds of dispositions of surplus property and to withdraw from such account the amounts necessary to make appropriate refunds to purchasers of such property when any disposition is rescinded or does not become final, or payments for breach of any warranty: Provided, however, That the amounts on deposit in such account shall at no time exceed \$750,000.

2. Maritime Commission. The Maritime Commission, as a disposal agency is hereby authorized to deposit in a special account with the Treasurer of the United States amounts from proceeds of dispositions of surplus property and to withdraw from such account the amounts necessary to make appropriate refunds to purchasers of such property when any disposition is rescinded or does not become final, or payments for breach of any warranty: Provided, however, That the amounts on deposit in such account shall at no time exceed \$500,000.

3. Department of the Interior. The Department of the Interior, as a disposal agency designated to act in the territories and possessions of the United States, is hereby authorized to deposit in a special account with the Treasurer of the United States amounts from the proceeds of disposition of surplus property, and to withdraw from such account the amounts necessary to make appropriate refunds to purchasers of such property when any disposition is rescinded or does not become final, or payments for breach of any warranty: Provided, however, That the amounts on deposit in such account shall at no time exceed \$75.000.

This revised special order shall become effective on July 31, 1945.

> SURPLUS PROPERTY BOARD, By A. E. Howse,

Administrator.

JULY 31, 1945.

[P. R. Doc. 45-14271; Filed, Aug. 3, 1945; 11:07 a. m.]

## [Special Order 16]

FINANCIAL REPORTS BY DISPOSAL AGENCIES

The reports required by this order will furnish essential information relating to the financial status of the surplus property disposal program. The forms and instructions contained in this order apply to the disposition of property declared surplus to any Government agency designated a disposal agency by the Surplus Property Board pursuant to the pro-

<sup>&</sup>lt;sup>2</sup> Special Order 13, July 10, 1945 (10 F.E. 8593) superceded and receinded Surplus Property Beard Temporary Order No. 2 (10 F.R. 1931).

visions of the Surplus Property Act of 1944, or by its predecessor agency, the Surplus War Property Administration, established pursuant to Executive Order No. 9425 dated February 19, 1944. Section 30 of the Surplus Property Act of 1944 (58 Stat. 765, 50 U.S.C. App. Sup. 1611) provides that "all proceeds from any transfer or disposition of property under this act shall be covered into the Treasury as miscellaneous receipts", except as specifically provided therein.

In furtherance of the foregoing provision of the act and pursuant to the authority thereof, It is hereby ordered,

- 1. Each disposal agency designated by the Surplus Property Board or its predecessor, the Surplus War Property Administration, shall file with the Board the information called for on the following forms:
- (a) Quarterly reports on the receipt and disposition of proceeds on Form SPB-17, "Report of Receipt and Disposition of U. S. Dollar Proceeds from the Disposal of U.S. Government Surplus Property";

(b) Quarterly reports of accounts receivable on Form SPB-18, "Summary of Accounts and Other Receivables from the Disposal of U.S. Government Surplus

Property";

(c) Quarterly reports covering the various currencies in which outstanding accounts are payable on Form SPB-19, "Analysis of Outstanding Accounts and Other Receivables Due from Other Than U.S. Government Agencies, from the Disposal of U.S. Government Surplus Property";

(d) Quarterly reports on proceeds from surplus property in foreign areas, stated in terms of United States dollars and in terms of foreign currencies, on Form SPB-20; "Report of Receipt and Disposition of Proceeds from U.S. Government Surplus Property in Foreign Areas."

2. Forms SPB-17, SPB-18, SPB-19, and SPB-20, may be reproduced by the disposal agencies: Provided, That the formats and sizes are identical with those of such forms on file with the Division of the Federal Register, sample copies of which may be obtained from the Board.

3/ The first reports on Forms SPB-17 through SPB-20 shall be filed by each disposal agency with the Board not later than September 1, 1945, and shall cover cumulative data from inception of each disposal program to June 30, 1945. All subsequent reports shall be filed quarterly by each agency, as prescribed by the instructions on these forms, not later than twenty (20) days after the close of the period for which each report is being furnished.

This order shall become effective July 31, 1945.

Note: All reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

> SURPLUS PROPERTY BOARD, By A. E. Howse,

Administrator.

JULY 31, 1945.

Form SPB-17 (7-18-45)

United States of America Surplus Property Board

Report of Receipt and Disposition of U. S. Dollar Proceeds from The Disposal of U. S. Government Surplus Property

Budget Bureau No. 16-R 033 Approval expires June 30, 1946

191

1. Reporting agency

2. For the period ended

4. Date

Important—See Instructions for Completing This Form on Reverse Sida

(Name and title of authorized official-Please type)

Item No.	Description	Prior period(s) adjustments	Quarter ended	Cumulative To19
(a)	<b>(b)</b>	(c)·	(d)	(0)
1 2 3	Undistributed receipts at beginning of period Receipts: Cash sales	I		
4 5 6 7 8	Rentals Collections on accounts and other receivables. Collections from U.S. appropriations or funds. Proceeds from conversion of foreign currency.			
8 9 10			**************	************
11	Total receipts			********
12	Total to be accounted for			
13 14 15 16	Credits to miscellancous receipts: 551.1 sale of surplus personal property 551.2 Sale of surplus real property 5530 Proceeds from surplus property in		*****************	44444.470444444444444444444444444444444
17 18 19	foreign areas			
20				
21 22	Total credits to miscellaneous receipts Reimbursements to appropriation accounts 1			
23 24 25	Accompanies to appropriation accounts			
25 26				
27	Total reimbursements to appropriation accounts.			
28 29	Remidusements to dovernment corporations			
30 31 32				
52 53	Total reimbursements to Government corporations.		·	
34				
35 36	Other disposition of receipts 1			
37 38	Total other	<u> </u>		
39	TT- Sistailants 3 - confede at and at a sile.		<del></del>	
40 41 42	Cash on hand Cash in special deposit accounts Balance in special account			
43 44	Total undistributed receipts at end of			
44	period			
45	Total receipts accounted for			

If space is insufficient, show total on the form and attach a separate sheet with details.

## Instructions for Form SPB-17 GENERAL INSTRUCTIONS

This report covers the receipt and disposition of the U.S. dollar proceeds received from the sale and rental of U.S. Government surplus property in the Continental U. S. and its territories and possessions and in foreign areas.

The report shall be compiled quarterly for the periods ending September 30, December 31, March 31, and June 30. An original and two (2) copies shall be submitted to the Surplus Property Board not later than twenty days after the end of the period.

These forms may be reproduced locally provided that the size and format are identical to that prescribed by the Board.

INSTRUCTIONS FOR FILLING IT FORM SPB-17

Block 1 .- Reporting Agency. Enter the name of the U.S. Government agency submitting the report.

Block 2.—Period Ended. Enter the ending

date of the period covered by the report.

Block 3.—The name and title of the reporting official should be typed in this block in addition to his signature.

Block 4.—Enter the date filed.
Column (a).—Item number. Lines are

numbered consecutively for reference.

Column (b).—Description.

Item 1. Undistributed Receipts at Beginning of Period. Report under this item the amount of U. S. dollar receipts for which disposition had not been made as of the beginning of the quarter. This amount should agree with the amount reported under Item 44 in the report for the preceding quarter.

Item 2. Receipts. Report under this group the U.S. dollar receipts from the sale and rental of U.S. Government surplus property.

Item 3. Cash Sales. Report under this item the proceeds from cash sales consummated for U. S. dollars,

Item 4. Rentals. Report under this item the proceeds from rentals consummated for U. S. dollars.

Item 5. Collections on Accounts and Other Receivables. Report under this item the collection of U. S. dollars on accounts and other receivables acquired from sale and rental of U. S. Government surplus property.

item 6. Collections from U.S. Appropriations or Funds. Report under this item the amounts received from the sale and rental of U.S. Government surplus property to U.S. Government agencies and corporations.

Item 7. Proceeds from Conversion of Foreign Currency. Report under this item the amounts of U. S. dollar proceeds from the conversion of foreign currency received from cash sales and rentals and from collections on accounts and other receivables.

Items 8, 9, and 10. Report on these blank

Items 8, 9, and 10. Report on these blank lines, with an appropriate descriptive title, any other U. S. dollar receipts from the sale and rental of U. S. Government surplus property.

property.

Item 11. Total Receipts. Report under this item the sum of Items 3 through 10.

Item 12. Total to be Accounted For. Re-

Item 12. Total to be Accounted For. Report under this item the sum of Items 1 and 11.

Item 13. Credits to Miscellaneous Receipts. Report under this group the receipts from the sale and rental of U.S. Government surplus property credited to miscellaneous receipts.

Item 14. 5511.1 Sale of Surplus Personal Property. Report under this item those receipts from the sale of U.S. Government surplus personal property located in the United States and its territories and possessions which are credited to this miscellaneous receipt account.

Item 15. 5511.2 Sale of Surplus Real Property. Report under this item those receipts from the sale of U. S. Government surplus real property located in the United States and its territories and possessions which are credited to this miscellaneous receipt account.

Item 16. 5530 Proceeds from Surplus Property in Foreign Areas. Report under this item the U.S. dollars received from the sale and rental of U.S. Government surplus personal and real property located in foreign areas (outside the Continental United States and its territories and possessions) credited to this miscellaneous receipt account, including U.S. dollar proceeds from the conversion of foreign currency.

Item 17. 0375.1 Rental of Surplus Personal Property. Report under this item those receipts from the rental of U. S. Government surplus personal property located in the United States and its territories and possessions which are credited to this miscellaneous receipt account.

Item 18. 0375.2 Rental of Surplus Real Property. Report under this item those receipts from the rental of U.S. Government surplus real property located in the United States and its territories and possessions which are credited to this miscellaneous receipt account.

Items 19 and 20. Report on these blank lines, with an appropriate descriptive title, any credits to miscellaneous receipts not otherwise provided for.

Item 21. Total Credits to Miscellaneous Receipts. Report under this item the sum of Items 14 through 20.

Items 22-27. Reimbursements to Appropriation Accounts. Report under this group the reimbursements to appropriations of the U.S. Government agencies from the proceeds of U.S. Government surplus property transactions. The appropriation symbol and thile and the amount of reimbursements to each appropriation account should be shown on the blank lines provided.

Items 28-33. Reimbursements to U.S. Government Corporations. Report under this group the reimbursements to U.S. Government corporations from the proceeds of U.S. Government surplus property transactions.

The name of the corporation and the amount of the reimburgements to each U. S. Government corporation should be shown on the block lines provided

blank lines provided.

Items 34–38. Other Disposition of Receipts. Report under this group any other disposition of U. S. dollar receipts from U. S. Government surplus property transactions. Items such as "refunds to purchasers" and other authorized charges will be reported under this group. Blank lines are provided for itemizing the types of dispositions of receipts reported under this group.

ported under this group.

Item 39. Undistributed Receipts at End of Period. Report under this group the amount of receipts for which disposition had not been made as of the end of the period.

Item 40. Cash on Hand. Report under this item the amount of undeposited cash in the hands of the reporting agency.

Item 41. Cash in Special Deposit Accounts. Report under this item the amount of undistributed cash in special deposit accounts. Item 42. Balance in Special Account. Re-

rtem 42. Balance in Special Account. Report under this item the undistributed balance of any special account.

Item 43. Report on this blank line, with

Item 43. Report on this blank line, with an appropriate descriptive title, any other undistributed receipts not otherwise itemized.

Item 44. Total Undistributed Receipts at End of Period. Report under this item the sum of Items 40 through 43. Item 45. Total Receipts Accounted For. Report under this item the sum of Items 21, 27, 33, 38, and 44.

Column (e).—Prior period(s) adjustments. Enter in this column all adjustments made in the current quarter affecting receipts and dispositions of proceeds reported for prior fiscal years and for previous quarters of the current fiscal years. A supplemental schedule shall be submitted in explanation of these adjustments.

Column (d).—Quarter ended. Enter the ending date of the quarter covered by the report. The U.S. dollar receipts and the disposition thereof during the quarter will be reported in this column.

Column (e).—Cumulative \_\_\_\_\_\_ 19\_\_ to \_\_\_\_\_\_ 19\_\_ to \_\_\_\_\_ 19\_\_ . Enter the date on which the dispocal program began and the ending date of the period covered by the report. The cumulative U. S. dollar receipts and the disposition thereof from the beginning of the program will be reported in this column. The entries in the cumulative column should equal the sum of: (1) the amounts shown in the cumulative column of the report of the previous quarter; (2) plus or minus the adjustments shown in the adjustment columns; and (3) plus the amounts in the "Current Quarter" column.

Form SPB-18
(7-18-40)

United States of America
Surfles Property Board

Surfles Property Board

Surfles Property Board

Surfles Property Board

1. Reporting agency

1. Reporting agency

1. Reporting agency

Imperiori—See Instructions for Compilating This Form on Reserve Side

2. For the quarter ended

(Name and title of outborked official—Fluore type)

(Signature)

4. Date

Item No.	Description	Amount
(a)	(b)	(c)
1 234567	ACCOUNTS AND GYHER RECEIVABLES—BUE FROM GYHER THAN U. S. GOVERNMENT AGENCIES  Balanco at beginning of quarter  Additions:  Credit cales  Rentals	
8	Total additions.	
9 10 11 12 13 14	Reductions: Cash collections: U. S. dollars Foreign currency (stated in U. S. dollar equivalents)	*******************************
15	Total reductions.	]
16	Balance at end of quarter	
17	Accounts and other receivables—due from U. S. Government agencies and	
18	Balance at reginning of quarter	
19 20 21 21 22 23 23 23	Additions: Sales to U. S. Government agencies and corporations. Rentals to U. S. Government agencies and corporations.	ſ
24	Total additions	
22 22 22 22 22 22 22 22 22 22 22 22 22	Reductions: Collections from U. S. appropriations or funds	
29	Total reductions	<u></u>
20	Balance at end of quarter	

INSTRUCTIONS FOR FORM SPB-18
GENERAL INSTRUCTIONS

This report is to furnish summary information on transactions in accounts and other

receivables from the sale and rental of U.S. Government surplus property in the Continental U.S. and its territories and possessions and in foreign areas. Accounts and other receivables include installment sales

contracts, purchase money mortgages and other evidences of indebtedness.

The accounts and other receivables payable

in foreign currency will be stated in U.S. dollar equivalents.

The report shall be compiled quarterly for each quarter ending September 30, December 31, March 31, and June 30. An original and two (2) copies shall be submitted to the Surplus Property Board not later than twenty days after the end of the quarter.

These forms may be reproduced locally provided that the size and format are identical to that prescribed by the Board.

INSTRUCTIONS FOR FILLING IN FORM SPE-18

Block 1.—Reporting Agency. Report the name of the U.S. Government agency sub-

mitting the report.

Block 2.—For the Quarter Ended. the ending date of the quarter covered by the report.

Block 3.-The name and title of the reporting official should be typed in this block in addition to his signature.

Block 4.-Enter the date filed.

Column (a).-Item, number. Lines are numbered consecutively for reference.

Column (b).—Description.

Item 1. Accounts and Other Receivables—

due from other than U.S. Government Agencies. Report under this section the transactions in accounts and other receivables from the sale and rental of U.S. Government surplus property to private individuals and entities, and to State and municipal govern-

ments, and to State and municipal govern-ments, and to foreign governments.

'Item 2. Balance at Beginning of Quarter.
Report under this item the amount of out-standing accounts and other receivables as of the beginning of the quarter. This amount should agree with the amount reported under Item 16 in the report for the preceding

quarter. Item 3. Additions. . Report under this group additions to accounts and other receivables during the quarter.

Item 4. Credit Sales. Report under this item the amount of credit sales.
Item 5. Rentals. Report under this item

the rentals billed.

Items 6 and 7. Report on these blank lines any other additions, with appropriate de-

scriptive titles.

Item 8. Total Additions. Report under this item the sum of Items 4 through 7.

Item 9. Reductions. Report under this

group reductions to accounts and other recelvables during the quarter. Item 10. Cash Collections.

Report cash collections received from accounts and other receivables under this item.

Item 11. U. S. Dollars. Report under this

item cash collections in U. S. dollars.

Them 12. Foreign Currency. Report under this item cash collections in foreign currency (stated in U. S. dollar equivalents).

Items 13 and 14. Report on these blank lines only other reductives with appropriate.

lines any other reductions, with appropriate

descriptive titles.

Item 15. Total Reductions. Report under this item the total of Items 11 through 14.

Item 16. Balance at End of Quarter. Report under this item the total of Items 2 and 8 minus Item 15. An analysis of this balance will be reported on Form SPB-19.

Item 17. Accounts and Other Receivablesdue from U.S. Government Agencies and Corporations. Report under this section the transactions in accounts and other receivables from the sale and rental of U.S. Gova ernment surplus property to U.S. Government agencies and corporations.

Item 18. Balance at Beginning of Quarter. Report under this item the amount of outstanding accounts and other receivables as of the beginning of the quarter. This amount should agree with the amount reported under Item 30 in the report for the preceding quarter.

Item 19. Additions. Report under this group additions to accounts and other receivables during the quarter.

Item 20, Report under this item sales to U.S. Government agencies and corporations. Item 21. Report under this item rentals to

U. S. Government agencies and corporations. Items 22 and 23. Report on these blank ° lines any other additions, with appropriate descriptive titles.

Item 24. Total Additions. Report under this item the total of Items 20 through 23. Item 25. Reductions. Report under this

group reductions to accounts and other re-ceivables during the quarter.

Item 26. Report under this item collections from United States appropriations or funds by check or transfers of appropriations or funds.

Items 27 and 28. Report on these blank lines any other reductions, with appropriate descriptive titles.

Item 29. Total Reductions, Report under this item the total of Items 26 through 28. Item 30. Balance at End of Quarter, Re-

port under this item the sum of Items 18 and 24 minus Item 29.

Column (c).—Amount. In this column report the appropriate amounts opposite the respective items.

Budget Bureau No. 16-RO34 Approval expires June 59, 1949 Form SPB-19 (7-18-45) UNITED STATES OF AMERICA SURPLUS PROPERTY BOARD Analysis of Outstanding Accounts and Other Receivables Due From Other Than 1. Reporting agency U. S. GOVERNMENT AGENCIES, FROM THE DISPOSAL OF U. S. GOVERNMENT SURPLUS PROPERTY 2. As of Important—See Instructions for Completing This Form on Recerse Side 101 4. Date (Name and title of authorized official-Please type)

	(Signature)				
ۏ	,		Amount		
Itom No.	Description	Rate	In terms of foreign currency	In terms of U. S. dollars	
(a)	(b)	(c)	(d)	(6)	
1	Payable in U. S. dollars				
2	Payable in Foreign Currency			•	
3					
4					
5					
6					
7	·				
8					
9	1				
10					
11					
12					
13					
14			ø <b>*</b>		
15	,				
16					
17	•				
. 18					
19				•	
20				1	
21					
22					
23					
24				-	
25					
26				4	
27					
28	•				
29					
30					
31					
32					
33					
34					
35	Total Payable in Foreign Currency				
36	Total				

## INSTRUCTIONS FOR FORM SPB-19 GENERAL INSTRUCTIONS

This report supplements SPB-18 summary of accounts and other receivables from the disposal of U.S. Government Surplus Property and represents an analysis by type of currency of the outstanding balance at the end of the quarter of accounts and other receivables-due from other than U.S. Government agencies (Form SPB-18, line 16) from sales and rentals of U. S. Government surplus property in the Continental U. S. and its territories and possessions and in foreign areas.

The report shall be compiled quarterly as of September 30, December 31, March 31, and June 30. An original and two (2) copies shall be submitted to the Surplus Property Board not later than twenty days after the end of the quarter.

These forms may be reproduced locally provided that the size and format are identical to that prescribed by the Board.

INSTRUCTIONS FOR FILLING IN FORM SPB-19

Block 1 .- Reporting Agency. Enter the name of the U.S. Government agency submitting the report.

Block 2.—Period. Enter the ending date

of the quarter covered by the report.

Block 3.—The name and title of the reporting official should be typed in this block in addition to his signature.

Block 4.-Enter the date filed.

Lines are Column (a).—Item number. numbered consecutively for reference.

Column (b).—Description.

Item 1. Payable in U. S. Dollars. Report under this item the amount of the outstanding accounts and other receivables payable in U.S. dollars.

Items 2 through 34. Payable in Foreign Currency. Report on a ceparate blank line for each foreign currency the name of the foreign currency, the rate of exchange, and the amount (expressed in terms of the for-eign currency, and in U. S. dollar equivalents) of the outstanding accounts and other receivables payable in foreign currency.

Item 35. Total Payable in Fereign Currency. Report under this item the total of accounts and other receivables payable in foreign currency, expressed in U. S. dollar equivalents. (Sum of Items 3 through 34, Column (e).)

Item 36. Total. Report under this item the sum of Items 1 and 35 in Column (e). This amount represents the unpaid balance of accounts and other receivables—due from other than U.S. Government agencies, and should be in agreement with Form SPB-18, Item 16.

Column (c) .- Rate. Report in this column the rate of exchange used by the reporting agency to state each type of foreign currency in V.S. dollar equivalents.

Column (d) .- In Terms of Foreign Currency. Report in this column the outstanding accounts and other receivables payable in foreign currency expressed in units of the foreign currencies.

Column (c).—In Terms of U. S. Dollars. Report in this column the U.S. dollar equivalent of outstanding accounts and other receivables payable in foreign currency. The amounts reported should equal the product of the rate of exchange (Column (c)) and the units of foreign currency (Column (d)). Report opposite Item 1 the outstanding accounts and other receivables payable in U.S. dollars.

Budget Bureau No. 16-RO33 Apprecial expires June 29, 1849 United States of America Surplus Property Board Form SPB-20 (7-18-45) REPORT OF RECEIPT AND DISPOSITION
OF PROCEEDS FROM U. S. GOVERNMENT SUBFLUS PROFERTY
IN FOREIGN AREAS 1. Reporting agency ☐ In terms of U.S. dollars ☐ In terms of fereign currencles 2. For the quarter ended Important-See Instructions for Completing This Form on Recerse Side 4. Date

(Name	e and title of re	eporting official	-Please type)	(8)	ignature)		
		70-10-00-04		. Dis	Disposition of receipts		
Currency	Rate -	Balance at beginning of quarter	Receipts	Deposits to treasurer, U. S.	Credits to miscellane- ous receipts	Other dispo- citions	Balance at and of quarter
(a)	(ъ)	(c)	(g)	(e)	ໍຫ	ශ	(b)
						1	
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INSTRUCTIONS FOR FORM SPB-20 GENERAL INSTRUCTIONS

This report covers the receipt and the disposition of the proceeds derived from the sale and rental of U.S. Government surplus property in foreign areas (outside the Continental United States and its territories and possessions). Separate report Form SPB-20 shall be prepared to reflect such receipts and dispositions in the terms of U.S. dollars and in the terms of foreign currencies. Blocks are provided on the form for the proper designation of the contents of the report.

The report shall be compiled quarterly for each quarter ending September 30, December 31, March 31, and June 30. An original and two (2) copies shall be submitted to the Surplus Property Board not later than twenty

days following the end of the quarter.

Form SPB-20—In Terms of U. S. Dollars.

Report on this form, under this designation, the receipt and disposition of the proceeds from the sale and rental of U. S. Government. from the sale and rental of U. S. Government surplus property in foreign areas stated in terms of U. S. dollars. Separate entries should be made for each currency reported. The U. S. dollar equivalent reported for each foreign currency should equal the product of the units and the rate of exchange of each statement of exchange of each second s foreign currency reported on Form SPB-20-In Terms of Foreign Currencies, and further should be in agreement with the U.S. dollar amounts reflected in the records of the re-porting agency. Transactions representing sales or rentals in foreign areas which are

consummated for U.S. dollars should be reflected on this report in the same manner as flected on this report in the same manner as a foreign currency transaction and should be listed as the first item on the reporting form, itemized in Column (a) as "U. S. Dollars."

Form SPB-20—In Terms of Foreign Currencies. This report supplements Form SPB-20—In terms of U. S. dollars, and pro-

vides for the reporting of the receipt and disposition of foreign currencies acquired from cales and rentals of U.S. Government curplus property in foreign areas. The re-celpts and dispositions will be stated in terms of each foreign currency and separate entries should be made for each type of currency reported. Transactions representing sales and rentals of surplus property in foreign areas which are consummated for U.S. dol-lars should not be reported on this form.

These forms may be reproduced locally provided that the size and format are identical to that prescribed by the Board.

#### ISTRUCTIONS FOR FILLING IN FORM SPE-20

Block: 1.—Reporting Agency. Enter the name of the U.S. Government agency sub-

mitting the report.

Block 2.—Quarter Ended. Enter the ending date of the quarter covered by the report.

Block 3.—The name and title of the reporting official should be typed in this block in

addition to his signature.

Block: 4.—Enter the date filed.
Column (a).—Currency. Enter in this

column the name of each currency.

Column (b).—Rate. Report in this column the rate of exchange used by the reporting agency to state each type of foreign currency in U.S. dollar equivalents.

Column (c).—Balance at Beginning of Quarter. Report in this column the balances of each currency at the beginning of the quarter. This balance should agree with the amounts reported in Column (h) of the

report for the preceding quarter.

Column (d).—Receipts. Report in this column the receipts for the quarter.

Column (e).—Deposits to Treasurer, U. S.

Report in this column the amount of each foreign currency deposited in foreign deposi-tary banks for the account of the Treasurer of the United States.

Column (1).-Credits to Miscellaneous Receipts. Report in this column credits to miscellaneous receipt account 5530 "Proceeds from Surplus Property in Foreign Areas."
The credits to be reported will include dispositions of foreign currencies by the reporting agency for which U. S. dollars are realized. The total amount reported in this column on Form SPB-20 should agree with o the amount reported on Form SPB-17, line 16, Column (d).

Column (g).—Other Dispositions. Report in this column all other dispositions of receipts such as "refunds to purchasers," "reimburgements to appropriation accounts," and "reimburgements to Government corporations".

Column (h).-Balance at End of Quarter. Report in this column the undistributed recelpts on hand at the end of quarter.

[P. R. Doc. 45-14272; Filed, Aug. 3, 1945; 11:07 a. m.]

## [Special Order 15]

#### DESTRUCTION OF BITUMINOUS EMULSION CALIOUFLAGE PAINT

The War Department has declared surplus to the Reconstruction Finance Corporation as a disposal agency approximately one million gallons of bituminous emulsion camouflage paint, and the War Department has further quantitles of this paint which it will or may

declare surplus in the future. The Reconstruction Finance Corporation, after endeavoring to find a commercial use for this paint and after exhaustive study, has submitted its findings to the Surplus

Property Board.

The Reconstruction Finance Corporation has found "that such paint has no commercial value and that the cost of care and handling will in all cases far exceed any proceeds which might be realized from its disposition, for the following reasons: (1) This type of paint has no commercial value in its present form; (2) its conversion into a commercially usable product would necessitate a material increase in gallonage and be too expensive to be practical; (3) the paint's pronounced tendency to 'bleed through' any oil-base paint applied subsequently to its application renders it hazardous and useless as a commercial paint; and (4) the estimated cost of removing such paint from the drums would far exceed the sales price of the drums."

The Reconstruction Finance Corporation has further reported that "the immediate destruction of bituminous emulsion camouflage paint determined to be surplus will in all cases be necessary and desirable because of the nature of the property and the expense and difficulty of its care and handling. It requires large and valuable storage space and entails various charges for its care and handling, and it is subject to evaporation, freezing and thawing, and consequent

leakage of the drums.'

Because of the fact that this paint has no civilian utility it is not deemed feasible to donate surplus supplies of it to any institution or agency supported by the Federal Government or any State or local government or to any nonprofit educational or charitable organization.

In reliance upon the findings of the Reconstruction Finance Corporation recited above, and pursuant to section 13 (b) of the Surplus Property Act of 1944 (58 Stat. 765; 50 U.S.C. App. Sup. 1611);

It is hereby ordered, That:

1. The Reconstruction Finance Corporation and all owning agencies are hereby authorized to destroy any and all surpluse bituminous emulsion camouflage paint now or hereafter in their possession.

- 2. In view of the fact that the nature of this property and the expense and difficulty of its care and handling are such as to render its immediate destruction necessary and desirable, neither the Reconstruction Finance Corporation nor any owning agency shall be required to give public notice of any proposed destruction of such property or to attempt to dispose of such property otherwise than by destruction.
- 3. The Reconstruction Finance Corporation and any owning agency shall, within twenty (20) days after any destruction carried out under the authority of this order, report in writing to the Surplus Property Board the amount of property destroyed.

This order shall become effective August 1, 1945.

Note: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

> SURPLUS PROPERTY BOARD, By A. E. Howse, Administrator.

JULY 31, 1945.

[F. R. Doc. 45-14359; Filed, Aug. 3, 1945; 12:06 p. m.]

[SPB Reg. 3, Order 30]

CONNECTICUT, MASSACHUSETTS, MAINE, AND NEW HAMPSHIRE

- ALLOCATION OF TRUCKS FOR DISPOSAL TO FARMERS AND FARMERS' COOPERATIVES IN CERTAIN COUNTIES

Pursuant to § 8303.4 of Surplus Property Board Regulation No. 3, entitled "Dispositions of Surplus Property in Rural Areas and to Farmers" (10 F.R. 5325) and in reliance upon the certifi--cate of the Secretary of Agriculture to the Surplus Property Board that farm production is impaired or threatened to be impaired in the areas named below by a shortage of trucks; It is hereby ordered, That:

1. The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Hartford, Tolland, New Haven, and Middlesex Counties, Connecticut, and Berkshire, Hampden, Hampshire, and Franklin Counties, Massachusetts, 57 one-and-one-half-ton trucks, 2 two-and-one-half-ton trucks, one-and-one-half-ton and 1 three-ton truck, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

2. The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Aroostook, Penobscot, Piscataquis. Somerset, and Waldo Counties, Maine, 18 two-and-one-half-ton cargo trucks and 20 one-and-one-half-ton cargo trucks, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911) take immediate steps so to dispose of such property by the methods

provided in § 8303.4 (c).

3. The Department of Commerce, as disposal agency, shall allocate for disposal to farmers and farmers' cooperative associations holding certificates of the Agricultural Adjustment Agency and located in Cheshire, Hillsboro, Merri-mack, and Rockingham Counties, New -Hampshire, 13 one-and-one-half-ton cargo trucks and 1 one-and-one-half-ton

truck, and shall without regard to the requirements of Surplus Property Board Regulation No. 2 (10 F.R. 5104, 8911) take immediate steps so to dispose of such property by the methods provided in § 8303.4 (c).

This order shall become effective im-· mediately.

> SURPLUS PROPERTY BOARD, By A. E. Howse. Administrator.

JULY 30, 1945.

[F. R. Doc. 45-14254; Filed, Aug. 2, 1945; 4:39 p. m.]

#### WAR PRODUCTION BOARD.

[C-403]

WALTER S. MILNE CONSENT ORDER

Walter S. Milne, engaged in business as a general carpenter in Marshfield, Massachusetts, is charged by the War Production Board with having carried on construction on a residential building owned by Chester L. Field of Marshfield, Massachusetts, at an estimated cost of \$5,000 between the dates of November 1, 1944 and June 1, 1945 without authorization from the War Production Board and in violation of War Production Board Conservation Order L-41. Walter S. Milne admits the violation as charged, does not desire to contest the charge as made, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Walter S. Milne, the Regional Compliance Manager and the Regional Attorney, and upon the approval of the

Compliance Commissioner,

It is hereby ordered, That: (a) Walter S. Milne shall do no construction on the premises at Ocean Avenue, Brant Rock Section, Marshfield, Massachusetts including putting up, altering, or finishing the structure, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Walter S. Milne, his successors or assigns, from any restriction, prohibition, or provision contained in any other order or regula-tion of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Walter S. Milne, his successors or assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly

of any such action.

Issued this 3d day of August 1945.

WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.

'[F. R. Doc. 45-14274; Filed, Aug. 3, 1945; 11:24 a. m.]